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Fourth periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND* **

[30 January 2001]

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* The third periodic report (E/1994/104/Add.11) submitted by the Government of the United Kingdom of Great Britain and Northern Ireland was considered by the Committee on Economic, Social and Cultural Rights at its seventeenth (1997) session (see E/C.12/1997/SR.36-38).

The annexes referred to in the present report are available for consultation in the Committee's secretariat.

** The information submitted by the Government of the United Kingdom of Great Britain and Northern Ireland in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.5/Rev.2).

The present report is issued as received.

THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

FOURTH REPORT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN RESPECT OF THE CONSTITUENT PARTS OF THE UNITED KINGDOM

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KK	Guidelines for Initial Teacher Education Courses in Scotland (Scottish Office)
LL	Policy Action Team report to Social Exclusion Unit

ABBREVIATIONS AND GLOSSARY

Community law	A law of the European Union.
Convention right	A right under the European Convention on Human Rights which has effect under the Human Rights Act 1998.
Covenant	The International Covenant on Economic, Social and Cultural Rights.
Government and government	In respect of Northern Ireland, Scotland and Wales, includes, as appropriate, the Executive of the devolved territory.
Great Britain	England, Scotland and Wales.
The United Kingdom	England, Northern Ireland, Scotland and Wales.
transferred powers	In relation to Northern Ireland, mean powers within the competence of the Assembly.
AHRB	Arts and Humanities Research Board.
DCMS	Department for Culture, Media and Sport.
DETR	Department of the Environment, Transport and the Regions.
DE	Department of Education, Northern Ireland.
DfEE	Department for Education and Employment.
DOENI	Department of the Environment, Northern Ireland.
DSD	Department for Social Development, Northern Ireland.
EAL	English as an additional language.
EAZ	Education Action Zones.
EEC	Early Excellence Centre.
ELB	Education and Library Board (Northern Ireland).
EU	European Union.

FEFC	Further Education Funding Council.
GCSE	General Certificate of Secondary Education.
GNVQ	General National Vocational Qualification.
GTC	General Teaching Council.
GM	Genetically modified.
GP	General (Medical) Practitioner.
HEFCE	Higher Education Funding Council for England.
HEFCW	Higher Education Funding Council for Wales.
JSA	Job Seekers Allowance.
LEA	Local Education Authority.
MAFF	Ministry of Agriculture, Fisheries and Food.
NHS	National Health Service.
NIC	National Insurance Contributions.
NVQ	National Vocational Qualification.
OFSTED	Office for Standards in Education.
PFI/PPP	Private Finance Initiative and Public Private Partnership.
QCA	Qualifications and Curriculum Authority.
QTS	Qualified Teacher Status.
RSL	Registered social landlords.
SCO	School Organization Committee.
SEED	Scottish Executive Education Department.
SEN	Special educational needs.
SEU	Social Exclusion Unit.

Social Trends 30	Appendix B.
SQA	Scottish Qualifications Authority.
SRB	Single Regeneration Budget.
Strategies Report	Appendix O.
TEC	Training and Enterprise Council.
TTA	Teacher Training Agency.
UfI	University for Industry.
WTR	Working Time Regulations.

THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

FOURTH REPORT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

IN RESPECT OF

THE CONSTITUENT PARTS OF THE UNITED KINGDOM

INTRODUCTION

The Report

.01 This Part of the Fourth Report is made in respect of the constituent parts of the United Kingdom and is supplementary to earlier reports under the Covenant.[1] The territorial application of various sections or paragraphs of the following chapters is indicated in sub-headings in bold italic type or in the paragraph heading. Separate Parts of the Report are submitted in respect of the Crown Dependencies of Guernsey, Jersey and the Isle of Man and in respect of the Overseas Territories.

Contributions

.02 This Part of the Report has been compiled by the Foreign and Commonwealth Office on the basis of contributions from the relevant departments and offices of the United Kingdom Government and the Executive Authorities of Northern Ireland, Scotland and Wales.

Other reports

.03 The Government has recently submitted the following reports to the appropriate committee or organization which also has responsibilities under other international human rights conventions for some of the matters covered by the Covenant:

> the Fourth Report on the Convention on the Elimination of All Forms of Discrimination against Women ("the 1999 CEDAW Report") dated January 1999;
>
> the Fifteenth Report under the International Convention on the Elimination of All Forms of Racial Discrimination ("the 1999 CERD Report") dated 31 May 1999;
>
> the Fifth Report under the International Covenant on Civil and Political Rights ("the 1999 Civil and Political Report") dated August 1999;

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[1] This report does not, in general, include material contained in earlier reports, but appropriate references to the earlier reports are made in the notes to the various articles.

the Second Report on the Convention on the Rights of the Child ("the 1999 Child Report") dated August 1999.

Other reports have been submitted to the International Labour Organization and are referred to below under the relevant Articles.

The Core document

.04 The 1999 Civil and Political Report describes various constitutional and legal developments. A number of these affect the general description of the United Kingdom in the Core document.[2] One change as regards the protection of human rights is the enactment of the Human Rights Act 1998 which was implemented in full on 2 October 2000. The Act provides that the substantive provisions of the European Convention on Human Rights and of its First and Sixth Protocols shall have effect as part of domestic law. Of particular relevance to the Covenant on Economic, Social and Cultural Rights is article 2 of the First Protocol which is concerned with the right to education. For further information on these developments, the Committee is referred to paragraphs 1 to 4 and 11 to 17 of the 1999 Civil and Political Report.

.05 The time that has elapsed since the Core document was compiled requires an updating of the statistics set out in it. In view of the measures of devolution described in the chapter on Article 1 below, it is also appropriate to add to those statistics some separate figures for the principal territories of the United Kingdom. Annex I to this Report sets out revised and additional figures.

Publication of this Report

.06 Copies of this Report have been laid in the Libraries of both Houses of Parliament and placed in the library of the Northern Ireland Assembly; and copies will be laid before the Scottish Parliament and National Assembly for Wales. Copies may be obtained from the Foreign and Commonwealth Office and the Report is available on its Web site (www.fco.gov.uk).

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[2] HRI/CORE/1/Add.5/Rev.1.

ARTICLE 1: DEVOLUTION AND EUROPEAN LAW

DEVOLUTION

The 1998 legislation

1.01 In 1998 three Acts of Parliament were enacted which devolved, or provided for the devolution of, wide responsibilities for many of the matters comprised in the Covenant to legislative assemblies in Northern Ireland, Scotland and Wales. In Northern Ireland and Scotland, the Acts also establish ministerial systems with responsibilities in respect of devolved matters. In Wales, a committee system is established for the exercise of executive functions. The provisions are different in each case, reflecting the particular circumstances of the respective territories.

Northern Ireland

The Northern Ireland Act

1.02 The Northern Ireland Act 1998, which was made to give effect to the Agreement reached at Multi-Party Talks on Northern Ireland (the Belfast "Good Friday Agreement"),[3] provides for an elected Northern Ireland Assembly of 108 members elected by proportional representation on a single transferable vote and for an executive ministerial system (which forms the Executive Committee of the Assembly) consisting of a First Minister, a Deputy First Minister and other ministers. The First Minister and the Deputy First Minister are elected on a single ticket by the Assembly from among its members. The other ministerial offices are allocated to members of the various parties in the Assembly according to the number of seats each party has in the Assembly. There are also provisions for the appointment of junior ministers. Certain votes in the Assembly require cross-community support, that is to say the support of a specific proportion of the members voting plus the support of a specific proportion of the nationalist members and of the unionist members.

Legislative powers

1.03 Under section 5 of the Act, the Assembly has power to make primary legislation ("Acts") for Northern Ireland. Many of the matters covered by the Covenant are within the powers transferred to ("transferred matters "), and within the legislative competence of, the Assembly. But there are exceptions ("excepted matters") to the legislative power. The Assembly may not make any provision which is incompatible with the rights contained in the Human Rights Act 1998 ("Convention rights") or with Community law. A number of matters, including constitutional law, international relations, defence, taxes and duties applying to the United Kingdom as a whole, national insurance and various matters dealt with in the Northern Ireland Act itself, are also specifically excepted and the consent of the United Kingdom Secretary of State is required to the enactment of a provision relating to a further series of matters ("reserved matters"). There is specific provision in the Northern Ireland Act to ensure that the Secretary of State for Social Security and the Northern Ireland Minister who has responsibility for social security consult one another with a view to securing that legislation provides for single systems of social security, child support and pensions for the United Kingdom. The Northern Ireland Minister in charge of a Bill is required to make a written statement that the Bill would be within the legislative competence of the Assembly.

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[3] Cm 3883.

1.04 The power of the United Kingdom Parliament to make laws for Northern Ireland is unaffected, but an Act of the Assembly made within its legislative competence may modify any provision of a United Kingdom Act in so far as it is part of the law of Northern Ireland.

1.05 The Northern Ireland Assembly came into being on 2 December 1999 and, after being suspended on 17 February 2000, was restored on 30 May 2000.

Scotland

The Scotland Act

1.06 The Scotland Act 1998 provides for a Scottish Parliament consisting of 129 members, of whom 73 are directly elected for constituencies and an additional 56 regional members are elected by a proportional voting system from lists of party or independent candidates drawn up for each of the eight Scottish Parliament Regions. The Act establishes a Scottish Executive consisting of a First Minister appointed by The Queen from among the members of the Parliament, other Ministers appointed from among the members of Parliament with the agreement of The Queen, and two Law Officers (the Lord Advocate and the Solicitor General for Scotland); the Law Officers need not be members of the Scottish Parliament but, as for the First Minister and other members of the Executive, their appointment requires the agreement of Parliament. There are also provisions for appointing junior ministers.

Legislative powers

1.07 Under section 28 of the Act, the Scottish Parliament may make primary legislation ("Acts of the Scottish Parliament ") for Scotland on a whole range of devolved matters. The Parliament may not make any provision which is incompatible with Convention rights or with Community law, or otherwise be in breach of various restrictions or prohibitions set out in the Act. The Parliament may not legislate about the reserved matters listed in Schedule 5 to the Act, which include the constitution of the United Kingdom, international affairs and defence, financial and economic matters, and social security. The detailed list of reserved matters which are outside the legislative competence of the Scottish Parliament is not the same as the lists of excepted and reserved matters in the Northern Ireland Act 1998 and includes a number of matters which are covered by the Covenant, in particular, equal pay, sex discrimination, race relations and disability discrimination as well as social security, child support and pensions. However, health, education, science and research funding (excepting the United Kingdom Research Council system), vocational qualifications, social work, housing, economic development, food standards, the arts, sport and culture are amongst the areas covered by the Covenant which are devolved to the Scottish Parliament. As is the case in Northern Ireland, a member of the Scottish Executive in charge of a Bill is required to state that the Bill would be within the legislative competence of the Parliament.

1.08 The Scottish Parliament assumed its powers on 1 July 1999. At present it will have responsibility for allocating a budget of £14 billion.

1.09 The power of the United Kingdom Parliament to make laws for Scotland is unaffected. However, there is a convention that the United Kingdom Parliament will not legislate on devolved matters in Scotland without the consent of the Scottish Parliament.

Wales

The Government of Wales Act

1.10 The Government of Wales Act 1998 establishes a National Assembly for Wales which consists of 40 directly elected members and 20 members elected or selected in accordance with a system of proportional representation. The Assembly is required to elect one of its members as the Assembly First Secretary, who appoints Assembly Secretaries from the membership. Accountability to the Assembly for the various functions conferred on it is then allocated to Assembly Secretaries or retained by the First Secretary. The First Secretary and the other Assembly Secretaries constitute the Executive Committee of the Assembly and subject committees have been established corresponding to the functions for which the Assembly Secretaries are made accountable. The subject committees are to consist of the relevant Assembly Secretary and other members of the Assembly, one of whom (other than the Secretary) is to be chairman.

Exercise of statutory functions

1.11 The Welsh Assembly does not have power to make principal legislation; the statute law will continue to be the law of the United Kingdom Parliament. But, with effect from 1 July 1999,[4] many of the wide statutory functions previously exercisable by a United Kingdom Minister in relation to Wales have been transferred to the Assembly or are to be exercised either by the Assembly concurrently with the Minister or by the Minister only with the concurrence of the Assembly. These functions include the administration of the National Health Service in Wales, education, social services, housing, transport, economic development, the arts, sport and culture. The transfer of these functions will enable the Assembly to determine the policies to be adopted in Wales for the application of the various statutory provisions and for the distribution of the funding (currently an annual budget of £7 billion) made available for such functions.

1.12 In addition to the functions transferred to the Welsh Assembly under section 22 of the Act, the Assembly is empowered to make provision for the reorganization of various services currently carried out by un-elected bodies (both executive and advisory) in Wales, including Welsh health authorities, and for the transfer of their functions.

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[4] The National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999 No. 672.

EUROPEAN LAW

Application in the United Kingdom

1.13 The Third Report under the Covenant referred to the competence of the European Union as regards many of the matters which are covered in the Covenant. As stated in that report, the treaties establishing the Union and the legislation made under them prevail over domestic United Kingdom law and, although the United Kingdom has an input in the negotiation of such legislation and a vote on its adoption, in most cases such adoption is by majority vote and can take place without United Kingdom concurrence.

Social Chapter

1.14 Since the Third Report, the United Kingdom has signed and ratified the Treaty of Amsterdam which incorporates the main provisions of the Agreement on Social Policy (the Social Chapter). The Treaty came into force on 1 May 1999. The following directives have been extended to, and are to be given effect in, the United Kingdom:

- The Working Time Directive;
- The Parental Leave Directive;
- The European Works Council Directive;
- The Part-Time Work Directive;
- The Burden of Proof in Sex Discrimination Cases.

These directives are considered further in connection with the Articles to which they are relevant.

ARTICLE 2: IMPLEMENTATION OF THE COVENANT AND DISCRIMINATION

IMPLEMENTATION

Implementation

2.01 The United Kingdom gives effect to its obligations under the Covenant on Economic, Social and Cultural Rights by means of specific laws, policies and practices which implement the various rights set out in the Covenant. The United Kingdom gives effect in like manner to the obligations it has assumed under the European Social Charter.

DISCRIMINATION

Great Britain

Legislation

2.02 Previous reports and responses to the Committee have contained descriptions of the various laws designed to combat discrimination, namely:

- The Equal Pay Act 1970;
- The Sex Discrimination Acts 1975 and 1996;
- The Race Relations Act 1976 and the Race Relations (Remedies) Act 1994;[5]
- The Trade Union and Labour Relations (Consolidation) Act 1992;
- The Disability Discrimination Act 1995.[6]

Sex discrimination

2.03 The Sex Discrimination Act extends to the armed forces but includes an exception for the purpose of ensuring combat effectiveness. Recent EU case law has decided that women may be excluded from areas of service for that purpose but the overwhelming majority of service posts are now open to women. Recent case law in the United Kingdom has also decided that, under the Act, a person may make a complaint of victimization about events that occurred after his or her employment has ended. The Committee is referred further to the chapters under Articles 1 to 4 of the Convention on the Elimination of all Forms of Discrimination against Women in the 1999 CEDAW Report.

Burden of Proof

2.04 The EU Directive on the Burden of Proof in Sex Discrimination Cases is not expected to make any significant difference in practice, since it is recognized that its requirements are given effect to in the current law. In sex and race discrimination cases, courts and tribunals have a long standing practice of inferring discrimination from evidence which raises that possibility where the employer does not provide a satisfactory alternative explanation.

Review of Sex Discrimination Act

2.05 The Equal Opportunities Commission has a statutory duty to review the sex equality legislation. Following recommendations from the Commission in 1998, the Government is minded to simplify the equal pay and other tribunal procedures, remove certain inconsistencies between different aspects of equality legislation and ensure that the Equal Opportunities

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[5] For the 1970, 1975 and 1976 Acts, see E/1978/8/Add.9.

[6] For the 1992 and 1995 Acts, see E/1994/104/Add.11. For all the above legislation, see also the summary provided in the written replies to the issues raised by the Committee prior to the examination of the Third Periodic Report.

Commission and other equality commissions have comparable powers. In a separate development, the Sex Discrimination (Gender Reassignment) Regulations 1999 came into force in May 1999. The Regulations amend the Sex Discrimination Act specifically to prohibit discrimination against people on grounds of "gender reassignment" in the areas of employment and vocational training.

Racial discrimination[7]

2.06 Following the third review (1998) of the Race Relations Act 1976 by the Commission for Racial Equality, the Government carried out consultations on various proposals for proofing legislation to prevent conflict with the Act, for developing positive action provisions and on other recommendations. The Race Relations (Amendment) Bill extends the 1976 Act in respect of the functions of public authorities, making it unlawful for them to discriminate (directly or indirectly) against a person, or to victimize a person, on racial grounds in carrying out their functions. The measure extends to police officers and includes an amendment to an exemption in the 1976 Act relating to national security to conform with the European Convention on Human Rights. It also imposes a statutory duty on public authorities to promote race equality.

2.07 The Crime and Disorder Act, which came into effect in September 1999, introduced nine new racially aggravated offences which carry higher maximum sentences where there is evidence of racial motivation or racial hostility in connection with the offence. Police officers are required to look for evidence of racial elements at the earliest stage of any investigation and evidence of racial elements of a crime are required to be put before a jury.

Disability discrimination

2.08 The Disability Rights Commission Act 1999 provides for the establishment of a commission to help disabled people enforce their rights under the Disability Discrimination Act 1995. The Commission started to operate in April 2000 and is currently providing four services: legal advice, information and advice for individuals and organizations, policy advice to the Government on disability, and media relations. A Bill is to be introduced later this year to place new duties on providers of education in Great Britain to treat disabled people no less favourably (unless there is some justification) than people who are not disabled. It will also make further provision for the Special Educational Needs Programme of Action (see the chapter on Article 13 below).

Age discrimination

2.09 The United Kingdom signed the European Employment Directive on equal treatment in October 2000. This includes a commitment to introduce legislation against age discrimination within six years. The Government negotiated this implementation period to ensure that there will be enough time to consult closely with employers, individuals and expert groups on the development of clear and workable legislation. "Ageism" is different from other forms of discrimination; at different ages people do have different labour market experiences and needs.

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[7] See the 1999 CERD Report and paragraphs 19 to 63 in the 1999 Civil and Political Report.

On some occasions it may be justifiable to take account of these differences. It is intended to develop clear guidance on these issues for employers to help them prepare for the introduction of legislation.

2.10 The Government is already tackling age discrimination through the publication and promotion of a Code of Practice on Age Diversity in Employment. The Code sets the standard for "non-ageist" practices in recruitment, training and development, promotion, redundancy and retirement and is accompanied with guidance and case studies to advise employers of the business benefits of an age diverse workforce. The impact of the Code is being fully evaluated, and findings will be available by the summer of 2001. That evaluation and a programme of related research will inform future plans for the implementation of legislation.

Trade Union discrimination

2.11 The Employment Relations Act 1999 contains provisions which make it unlawful to discriminate by omission on grounds of trade union membership, non-membership or activities. It also contains provisions to prohibit the blacklisting of trade union members. These provisions are further explained in the chapter on Article 8 below.

Guidance on policy appraisal for equal treatment

2.12 Guidance by the Commission for Racial Equality and the Equal Opportunities Commission on equal opportunities for small and medium sized employers was published on 9 November 1999. Also in November 1999, a guidance paper, *Policy Appraisal for Equal Treatment*, was jointly produced by the Women's Unit in the Cabinet Office, the Department for Education and Employment (DfEE) and the Home Office and circulated to all Departments. Individual Departments have built on this central advice. For example, *Mainstreaming Equal Opportunities - A Working Guide* by DfEE was issued to assist policy makers in providing a consistent and effective approach to ensuring that equality of opportunity forms a central part of the Department's policy and functions. To complement this, other equal opportunities guidance and information has been made readily available on the DfEE's internal Web site. The material includes case studies of good practice and a contact list of external equality organizations willing to work with the Department on the development of policy and programmes.

Northern Ireland

Earlier legislation

2.13 At the examination of the Third Report the Committee was informed of the following Northern Ireland laws:

- The Sex Discrimination (Northern Ireland) Order 1976 which makes sex discrimination unlawful in employment, training and related matters, education, the provision of goods, facilities and services, and the disposal and management of premises. Individuals who complain of unlawful discrimination have direct access to industrial tribunals in employment and to the county courts in other cases. The Order also established an Equal Opportunities Commission for Northern Ireland with functions under this Order and the Equal Pay (Northern Ireland) Act 1970.

- The Race Relations (Northern Ireland) Order 1997 made similar provisions to the 1976 Act of the United Kingdom Parliament, but, unlike the latter, it defined the Irish Traveller community as a racial group. The Order also established a Commission for Racial Equality for Northern Ireland with functions similar to those of the Commission for Racial Equality in Great Britain.

- The Northern Ireland Constitution Act 1973 provides that, to the extent that any legislation of Northern Ireland discriminates against any person, or class of persons, on the ground of religious belief or political opinion, it shall be void. It also makes it unlawful for any Government Department in Northern Ireland or any public or local authority to discriminate against any person or class of persons on the ground of religious belief or political opinion.

- The Fair Employment (Northern Ireland) Acts 1976 and 1989 made it unlawful for an employer to discriminate in the employment field against any person on the grounds of his religious or political belief. The 1976 Act also established a Fair Employment Agency which had advisory, research and enforcement functions. The 1989 Act established the Fair Employment Commission in place of the Agency and the Fair Employment Tribunal which took over the adjudication functions of the Agency.

The Disability Discrimination Act 1995 applies with appropriate modifications to Northern Ireland.

Sex discrimination

2.14 In June 1997, the Equal Opportunities Commission (N.I.) published recommendations for changes to the sex discrimination legislation. There were 77 recommendations in all, a number of which were intended to clarify existing law, e.g. widening legal definitions, reviewing or removing exceptions in the employment field and incorporating rights derived from European law or case law. These recommendations overlapped to a considerable extent recommendations made in November 1998 by the Equal Opportunities Commission (GB) and officials from the relevant Northern Ireland and British Departments are liasing closely in consideration of the recommendations.

Fair employment

2.15 The Fair Employment Acts of 1976 and 1989, which applied only to employment and related areas, were repealed and re-enacted, with amendments, by the Fair Employment and Treatment (Northern Ireland) Order 1998. Under the new Order, it is unlawful to discriminate against an individual on the grounds of his religious belief or political opinion in employment or training, in the provision of goods, facilities or services, or in the disposal or management of premises. The Fair Employment Tribunal continues to adjudicate on individual cases of alleged discrimination in the employment field and the county court deals with all other cases brought under the Order.

The Northern Ireland Act

2.16 The Northern Ireland Act 1998, in addition to giving effect to the Belfast Agreement, implements the Government's policies for promoting equality which were set out in the White Paper *Partnership for Equality* published in March 1998[8]. Section 75 and Schedule 9 to the Act provide the legislative basis for the replacement of the existing administrative Policy Appraisal and Fair Treatment Guidelines. The Act now places a statutory obligation on public authorities (including United Kingdom Departments operating in Northern Ireland and district councils) in carrying out their functions, "to have due regard to the need to promote equality of opportunity:

(a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;

(b) between men and women generally;

(c) between persons with a disability and persons without; and

(d) between persons with dependants and persons without."

Without prejudice to this obligation, public authorities are also to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

Equality schemes

2.17 Public authorities are required to give effect to their statutory obligations by establishing published Equality Schemes. These schemes require the approval of the newly established Equality Commission (paragraph 2.18 below) which also has the responsibility of keeping under review the effectiveness of the duties imposed by section 75.

New Commissions

2.18 The Northern Ireland Act 1998 also established two new Commissions:

- The Northern Ireland Human Rights Commission with the functions of keeping under review the adequacy and effectiveness of the law and practice relating to the protection of human rights, including the giving of advice whether proposed legislation is compatible with human rights, and the institution of proceedings for the protection of human rights;

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[8] Cm. 3890.

- The Equality Commission for Northern Ireland which takes over the functions previously exercised by the Fair Employment Commission, the Equal Opportunities Commission, the Commission for Racial Equality and the Northern Ireland Disability Council.

These provisions came into force on various dates in 1999.

Scotland

The Scotland Act

2.19 As noted in paragraph 1.07 above, various aspects of equal opportunity legislation are outside the legislative power of the Scottish Parliament. Exceptions to these reservations (and therefore within the Scottish Parliament's competence) are:

- The encouragement (other than by prohibition or regulation) of equal opportunities, and in particular of the observance of equal opportunity requirements;

- The imposition of duties on:

  (a) Any office holder in the Scottish Administration or certain other Scottish public authorities to make arrangements with a view to securing that their respective functions are carried out with due regard to the need to meet equal opportunity requirements;

  (b) Cross-border public authorities to make arrangements with a view to securing that their Scottish functions are carried out in the same way.

Wales

The Government of Wales Act

2.20 Sections 48 and 120 of the Government of Wales Act 1998 provide that the National Assembly for Wales shall make appropriate arrangements for its business to be conducted and its functions to be exercised with due regard to the principle that there should be equality of opportunity for all people. By section 47 of the Act, the Assembly is required to give effect, so far as is appropriate and reasonably practicable, to the principle that the English and Welsh languages are treated on the basis of equality.

ARTICLE 3: EQUALITY BETWEEN MEN AND WOMEN

United Kingdom

New administrative machinery

3.01 New arrangements for women's issues are the appointment of a Minister for Women in the United Kingdom Cabinet and a Women's Unit in the Cabinet Office, and the allocation of specific responsibilities for women's issues and equal opportunities in the administrations of Northern Ireland, Scotland and Wales.

Equal pay

3.02 The provisions of the Equal Pay Act 1970 have been noted in earlier reports.[9] The Equal Opportunities Commission's Code of Practice on Equal Pay is set out at Appendix A and the Committee is also referred to the United Kingdom's report to the ILO under the Equal Remuneration Convention 1951 (No. 100) for the period 1 June 1996 to 31 May 1998.

Recent United Kingdom legislation

3.03 The Pensions Act 1995 provides that the State pension age for women, currently 60, be brought into line with that for men (age 65) during the period 2011 to 2020. It also provides that an occupational pension scheme, which does not contain an equal-treatment rule as between men and women, shall be treated as if it included one.

Equal pay legislation in Northern Ireland

3.04 The Equal Pay (Northern Ireland) Act 1970 makes similar provision to that of the Equal Pay Act 1970 of the United Kingdom Parliament. The Act created a separate Equal Opportunities Commission for Northern Ireland. The functions of that Commission have been transferred by the Northern Ireland Act 1998 to the Equality Commission for Northern Ireland.

ARTICLE 4: LIMITATIONS

4.01 Any limitations will be noted under the relevant Article.

ARTICLE 5: ACTIVITIES AIMED AT DESTRUCTION OR LIMITATION OF RIGHTS

5.01 The United Kingdom Government is not aware that the terms of the Covenant have been relied on in contravention of the provisions of this Article.

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[9] See E/1978/8/Add.9.

ARTICLE 6: RIGHT TO WORK

United Kingdom

WELFARE TO WORK

Labour market policy

6.01 The principal labour market policy of the United Kingdom Government is the Job Seekers Allowance (JSA) which provides the basis for the Welfare to Work and the various New Deal programmes. Other elements within Welfare to Work which are designed to "make work pay" are the working families tax credit, the national minimum wage and the 10p.-starting rate of tax; (see the chapters on Articles 7 and 9 below).

The labour market context

6.02 The United Kingdom labour market has been performing strongly. Employment has been rising and unemployment falling consistently for some time. At over 74 per cent, the United Kingdom's employment rate is at record levels and is now the second highest in Europe. Unemployment (ILO definition) at 1.68 million (5.7 per cent) has fallen by around 200,000 since the same point two years ago. Claims for unemployment related benefits have fallen to 1.16 million (4 per cent). New vacancies notified to Jobcentres are at historically high levels.

6.03 But these generally positive figures fail to disclose that both youth unemployment - at 424,000 (11.3 per cent) - and the number of people unemployed for over 12 months - at 465,000 (27.2 per cent of all unemployed) - are still too high. Almost one in six working age households have no one in work. Also, there has been a significant increase in the numbers of people claiming non-unemployment related benefits. For example, there are now just under a million lone parents claiming Income Support. And the number of people claiming Incapacity Benefit has quadrupled over the last 20 years to 2.27 million. There is evidence that many of these people want to work but without help they become trapped in a life of State dependency.

TABLE

Population of working age:[a] by employment status[1] and gender, Spring 1999

Millions	Males	Females	All
Economically active			
In employment			
Full-time employees	11.4	6.2	17.7
Part-time employees	0.9	4.6	5.6
Self-employed	2.3	0.7	3.0
Others in employment	0.1	0.1	0.2
All in employment	14.7	11.7	26.4
Unemployed	1.1	0.6	1.7
All economically active	15.8	12.3	28.2

Millions	Males	Females	All
Economically inactive	3.0	4.8	7.8
Population of working age	18.8	17.1	35.9

Source: Labour Force Survey, Office of National Statistics.

[a] Males aged 16 to 64; females aged 16 to 59.

[1] Economic activity and unemployment vary between the component parts of the United Kingdom and the various regions; e.g. London has a higher unemployment rate than Northern Ireland.

Chapter 4 of the Government Statistical Publication, Social Trends 30, which is appended at Appendix B, sets out further statistics for various aspects of the labour market including economic activity rates by ethnic group, gender and age and patterns of employment.

THE NEW DEAL

New Deal programmes

6.04 To help unemployed people move from welfare into work and to escape the culture of reliance on welfare payments, the Government has launched a number of New Deal programmes under the general rubric of *Welfare to Work* with funding of £3.5 billion over the life of the present Parliament. The New Deals are designed to provide unemployed people with the skills and experience which will enable them to enter and remain in employment throughout their working lives. They provide positive assistance, not just a benefit payment. Currently they cover:

- Unemployed young people;
- Long-term unemployed people;
- Lone parents;
- People with a disability or long-term illness;
- Partners of the unemployed;
- Age 50 plus;
- New Deal for communities.

Local partnerships in the New Deal

6.05 Considerable efforts have been made to involve a wide-range of people in the planning of the New Deal. Local partnerships, involving employers, local authorities, Training and Enterprise Councils, voluntary organizations, education and training providers and other local community groups, were consulted on their design and are now represented on partnerships responsible for the planning and delivery of the New Deal in their local area. The programmes are co-ordinated by the Employment Service in Great Britain and by the Training and Employment Agency in Northern Ireland.

New Deal for 18 to 24 year olds

6.06 The New Deal for 18 to 24 year olds offers young people who have been unemployed and claiming JSA for six months or more the opportunity to improve their prospects of finding sustained work. Those young people who are particularly disadvantaged in the labour market, such as ex-offenders, people with literacy and numeracy problems and people with disabilities, are able to join the New Deal early. The New Deal provides help consisting of:

- a "Gateway" period which can last for up to 16 weeks and which aims first to get young people into work. It includes help with job search, careers advice and guidance, and preparation for and submission to a range of options. A New Deal action plan, tailored to the individual needs of the young person, is developed during this period by the young person working with his or her New Deal personal adviser. Specific difficulties can be addressed and help offered through specialist agencies;

- a range of Options under which young people who are unable to find an unsubsidized job during the Gateway period are able to choose one of up to four options, depending upon their individual needs and wishes. Each option includes training towards a recognized qualification. The options are:

    a subsidized job with an employer. Employers can receive a subsidy of £60 a week for jobs of at least 30 hours a week (£40 a week for jobs of 24 to 29 hours) for up to 26 weeks and £750 towards the cost of training. The young person receives the equivalent of one day a week training, of good quality, leading towards a recognized qualification. Young people interested in self-employment may also be supported through this option;

    full time education and training which can last up to 12 months and is primarily aimed at those young people who do not have a National Vocational Qualification at level 2 or equivalent level qualifications and particularly those who lack basic skills for employment;

    work with a voluntary sector organization lasting for six months, aimed at offering opportunities of benefit to the young person and to the local community; the option also enables the young person to undertake training towards a recognized qualification; and

    work with the Environment Task Force lasting six months, which contributes toward benefiting the environment and which enables the young person to work towards a recognized qualification;

- a follow-through phase which supports young people through a personal adviser, who will ensure that all training plans complement their overall New Deal action plan and who will discuss what the young person will do at the end of the time on the option. The New Deal personal adviser also provides support for those young people who, once the option has ended, are without a job and need to renew their claim to JSA by offering them a series of interviews and intensive help with job search and advice.

Of those entering the New Deal in March 2000, 2,800 (37 per cent) were on full time education and training; 1,200 (16 per cent) in the employment option; 1,800 (24 per cent) on the voluntary sector option; and 1,800 (24 per cent) in the Environment Task Force. Details of the design of the New Deal for 18 to 24 year olds, and pamphlets explaining various plans under it, are included in the folder at Appendix C.

Achievements of the 18 to 24 year olds New Deal

6.07 By the end of March 2000:

- 456,800 young people had started the New Deal and 328,900 left it; 41 per cent left for sustained unsubsidized jobs and 12 per cent transferred to other benefits; 19 per cent left for other known reasons and 28 per cent for unknown reasons;

- 210,160 young people had obtained jobs of which 135,570 were sustained jobs, but 54,590 were jobs lasting less than 13 weeks.

The New Deal programme recognizes that some young people who find work do return to unemployment quickly. The programme aims to build on the initial, if brief, experience of work to enable the young person to find a new job quickly and thus improve his long-term employability. A pilot study is being made to provide for "job-coaching" for these young people.

New Deal for 25 plus

6.08 The New Deal for people aged 25 plus was introduced at the end of June 1998. It aims to help people who have been unemployed and claiming JSA for two years or more to find work or improve their prospects of doing so by offering them a range of help to meet their individual needs. These include advice and assistance for finding work and training, workshops on seeking employment, work trials with employers, financial assistance and the opportunity for work based training while remaining on benefit. A subsidized job with an employer, with the employer receiving a subsidy of £75 a week for up to six months, is also available through the New Deal for this group.

6.09 From November 1998, the New Deal for people aged 25 plus was extended by a series of pilot projects designed to cover up to 90,000 people. The 29 pilot projects (22 in England, one in Northern Ireland, four in Scotland and two in Wales) aimed to test the effectiveness of a range of new approaches to helping this group into work, including the effectiveness of intervening at 12 and 18 months of unemployment. The pilot for Northern Ireland covers all those who are aged 25 or over and have been claiming JSA for 18 months or more; this will take up to 30,000 of the places in the overall pilot. The pilots offer a Gateway period of up to three months of advice, vocational guidance and training, needs assessment, a three month mandatory intensive activity period which will include work experience either with an employer or with a voluntary organization and, where appropriate, work-related training and help into self-employment. People remain on unemployment benefit throughout the pilots and will receive an additional premium during the mandatory period. Details of the New Deal for 25 plus, the design for the pilot projects and an explanatory pamphlet are included in the folder at Appendix D.

New Deal for 50 plus

6.10 The 1999 Budget introduced New Deal for over 50s to help people who have been out of work for six months back to work. Nine pilot areas were introduced in November 1999 and the programme was extended nationally from April 2000. It consists of personal advisers to help with job search and an intensive training subsidy of up to £750. In addition, the Budget introduces a £60 per week tax credit (the Employment Credit) for a year for over 50s when they move into full-time work (£40 per week for part-time work). A pamphlet explaining the New Deal for 50 plus is at Appendix E.

Achievements of the New Deal for 25 year olds and over

6.11 By the end of March 2000:

- 252,000 people (14 per cent between 25 and 29 years old and 28 per cent aged over 50) had entered the New Deal and 106,200 left it;
- 34,720 people obtained sustained jobs (26,920 being unsubsidized and 7,800 subsidized) and 6,430 jobs which lasted less than 13 weeks;
- 10,100 people have taken up the employment subsidy; 5,700 have begun education and training opportunities and 15,800 have started work based learning for adults.

Employment Zones

6.12 As part of the Government's efforts to tackle social exclusion and to assist long-term unemployed job seekers aged 25 and over, the Department for Education and Employment (DfEE) has introduced Employment Zones in areas of high and persistent long term unemployment. Employment services in these Zones are provided by local partnerships of public, voluntary and private sector organizations. Local partnerships harness the potential of local communities to provide a more flexible approach to meet job seekers' needs. As well as exploring new and innovative ideas for tackling unemployment, partnerships are encouraged to use existing resources and funding in a more effective and coherent manner.

6.13 Prototype Employment Zones were introduced from February 1998 in five areas (Glasgow, Liverpool, South Tees, North West Wales and Plymouth) and ended in March 2000. The prototypes were successful in helping 34 per cent of long term unemployed jobseekers into work. Each prototype Employment Zone offered, as a minimum, the following assistance:

- Neighbourhood Match - real work experience with training that usually paid a relevant rate for the job. It included the establishment of *Intermediate LabourMarket* programmes;

- Learning for Work - the chance to learn and gain qualifications to improve employability; and

- Business Enterprise - training and assistance to help people move from welfare into self-employment.

Since April 2000, new Employment Zones have been established in 15 of the most disadvantaged labour market areas, including the five prototype areas mentioned above. A key feature of the zones is the introduction of the Personal Job Account. This gives individuals more say in the choices available to them by way of training, job search and benefit and provides maximum flexibility in their efforts to find work.

New Deal for Lone Parents

6.14 This programme, launched in October 1998, is designed to help lone parents into work; 95 per cent of lone parents are women. Lone parents on Income Support, whose youngest child is in their second term of full time education, are invited to meet with a personal adviser. Lone parents with younger children are welcome to join the programme if they wish and a parent with older children may be sent a letter reminding him or her of the programme. Personal advisers offer comprehensive advice and practical support on job search, training, childcare, and in-work benefits. They also offer support for lone parents once they have started work to assist them to overcome any difficulties they may experience in the transition from benefit to work. The New Deal for Lone Parents is piloting an *In Work Training Grant*, which will offer employers £750 to cover all or part of the training costs for a lone parent who takes up work with them. By February 2000, 132,880 lone parents had been interviewed of whom 40,270 had obtained employment. Another 12,160 lone parents have taken up education or training programmes. A fact sheet and pamphlet explaining the New Deal for Lone Parents are at Appendix F.

New Deal for Disabled People

6.15 The New Deal for Disabled People programme is piloting a range of initiatives to help disabled people and those with long-term illness into work and training. It has the following elements:

- a Personal Adviser Service to help disabled people and those with a long term illness to overcome barriers to work;

- innovative schemes to explore how best to help people move into or stay in work;

- an information campaign to improve knowledge of existing assistance available to help people into work and to change attitudes of benefit recipients, employers and the public; and

- a programme of Research and Evaluation.

A Personal Adviser Service is also available in some areas to assist employers in recruiting and retaining employees who are, or become, disabled or sick. Pamphlets relating to the New Deal for Disabled People and other aspects of the New Deal are included in the folder at Appendix G.

New Deal for Partners of Unemployed People

6.16 Ninety per cent of all partners of unemployed people are women. Also, there are now 3 million workless households - double the amount there were 20 years ago - and nearly 500,000 of these are couples where neither partner is working. For unemployed people claiming means tested benefits, there are 177,000 partners aged 25 or over, of whom 125,000 have children. In couples without children, there are around 10,000 partners aged under 25.

6.17 New Deal for Partners of Unemployed People is intended to help partners of unemployed people to find work by giving them access to job search advice and other programmes provided by the Employment Service. The aim of this New Deal programme is to help to reduce the number of workless households so that families do not have to face a lifetime on benefit. Pamphlets relating to the New Deal for Partners are at Appendix H.

New Deal for Communities

6.18 New Deal for Communities provides £800 million over three years for the intensive regeneration of poor neighbourhoods; (see further the chapter on Article 11).

Flexible personalized service

6.19 The New Deal programmes drew attention to the need for a new approach to the way in which services are provided to the public. A pilot project for a *Single Work-Focused Gateway* (now known as *ONE pilots*) was started in June 1999 to seek to change the culture of the benefits system and of payments and dependence rather than independence and work. *ONE pilots* bring together the Employment Service, Benefits Agency and local authorities as partners to offer a single more efficient point of entry to the services which those partners provide for people who are not working full-time. It is anticipated that some 450,000 people would enter such a *ONE pilot* each year. Personal advisers will work with clients to establish how best to meet individual needs, with the object of moving towards financial independence through work.

OTHER WORK RELATED PROGRAMMES

Other programmes

6.20 The New Deal is designed to provide tailor-made help to individuals. There are also other programmes designed to tackle barriers to work, including:

- The provision of childcare;

- Training;

- Family-friendly employment practices (see chapter on Article 7 below);
- The working families tax credit (see chapter on Article 9 below).

The National Childcare Strategy

6.21 Parents, especially women, will be helped to take up employment, education or training, giving them equal opportunities and choices, if they can be assured of adequate childcare facilities while they are absent from the home. In 1998, there were around 1.1 million places available with childminders, in play groups and day nurseries for children under the age of eight in England and Wales and 39,000 places with childminders and in day nurseries and play groups in Northern Ireland. The National Childcare Strategy aims to make childcare more affordable and more accessible for children from birth to age 14 in every neighbourhood and to raise the quality of care. Twenty thousand new childcare places were created between May and September in 1998, a further 60,000 by April 1999, and places catering for 1 million children will be created over the next five years. Substantial resources are being made available to support the National Childcare Strategy - around £470 million for 1998 to 2003 in England and £7.3 million for 1998 to 2001 in Wales. The Scottish Executive has allocated £33.25 million to expand childcare over the period 1999 to 2002 in addition to the provision of free, part-time pre-school places for all three and four year olds, due to be achieved by 2002. In addition, the working families tax credit includes a childcare tax credit which is worth 70 per cent of eligible childcare costs (currently with registered child minders, play schemes, day nurseries and out of school clubs) up to a maximum of £70 a week for families with one child and £105 per week for families with two or more children.

6.22 This expansion in childcare services will also provide up to 50,000 opportunities to train to work with children for suitable people through the New Deals; and funding is being made available to further education colleges and Training and Enterprise Councils to provide more training in childcare. Pamphlets relating to childcare are included at Appendix I.

TRAINING

England and Wales

Improving access to, and standards in, education

6.23 New initiatives in education to improve the basic skills of school leavers in numeracy, literacy and information technology, to improve access to further and higher education to school leavers and mature students, and to develop a "learning society" in which everyone regularly updates his or her skills and knowledge throughout life are described in the chapter on Article 13 below. That chapter also notes the establishment of the University for Industry, a public/private sector partnership to be launched in 2000, which will create a network of training and education providers and open up access to learning in the home, the workplace and the community through open learning methods. The improvement of educational standards and the widening of access to skills training will increase levels of achievement and aspiration in the labour market and provide greater opportunities for employment and the ability and confidence to move between jobs as the needs of businesses change and new markets open up.

Work based training programmes

6.24 The two main work based training programmes are Modern Apprenticeships and National Traineeships.

- Modern Apprenticeships were introduced in 1995 as a challenge from Government to industry to increase radically the supply of skills of young entrants to the work force at craft and technician level, National Vocational Qualification level 3. In England and Wales training frameworks are available in 83 sectors, with more under development, extending industry approved apprenticeship training to new sectors vital for competitiveness including Information Technology and Telecommunications. Modern Apprenticeships are open to young people aged 16 to 24 and are the main work based training option for those aged 19 plus.

- National Traineeships were introduced in 1997 engaging young people in training to National Vocational Qualification level 2. Currently 47 training frameworks are available. The top five sectors in terms of starts are business administration, engineering manufacturing, retailing, motor industry and hotel and catering. National Traineeships are also open to young people aged 16 to 24, but the priority group is aged 16 to 18.

Both programmes are expected to make a key contribution to the National Learning Targets and to Lifelong Learning by introducing entrants to employment to structured training in the workplace. Tables of work related training are set out at pages 61 and 62 of Social Trends 30 at Appendix B.

Work Based Training for Adults

6.25 In 1998/99 the Training for Work programme was replaced by Work-Based Training for Adults. The overall aim of the programme is to help long term unemployed adults, particularly those at risk of exclusion from the job market, to secure and sustain employment or self employment through an individually tailored combination of guidance, structured work experience, training and approved qualifications. It is open to people aged 25 to 63 who have been unemployed for six months or more, although some groups of people with special needs can join earlier. Those joining undergo an assessment and agree a training plan designed to help them obtain the skills needed to get a job. Transitional support will be provided to improve the clients' prospects of sustained employment. The DfEE intends to hold comprehensive consultations this year to consider, as a package, the design and features of Work Based Training for Adults and all other Employment Service labour market measures (outside New Deals).

Career Development Loans

6.26 DfEE operates Career Development Loans (CDLs). These are unsecured, deferred repayment bank loans for vocational education and training courses for individuals of up to two years - plus up to one year's practical experience where it is part of the course. The loans vary in size from £300 to £8,000. DfEE pays the interest over the life of the course and for the first month afterwards. Trainees who are registered unemployed or receiving specific benefits after completing their course can apply to defer repayments for an extra five months, with up to two further extensions of six months each. Between the start of CDLs in 1988 and April 1998 there have been over 100,000 CDLs taken out - worth around £381 million in total.

Small Firms Training Loans

6.27 The Small Firms Training Loans (SFTL) scheme is operated by the DfEE with the aim of overcoming the resistance of many small businesses to invest in training. The scheme assists firms with up to 50 employees in developing and financing their training plans through borrowing, by offering loans which include a repayment holiday and preferential rates of interest. Under the Scheme:

- 364 Small Firms Training Loans were awarded between July 1994 and May 1998, representing just 0.03 per cent of eligible firms in Great Britain. The take up has been concentrated among a limited number of businesses and skills. Twenty five per cent were for firms working in accounting and legal services, market research and business and management consultancy, and a further 21 per cent went to firms working in computer and related activities. Analysis of a sub-sample of 200 loans showed that almost 30 per cent of the loans were to fund training in computer skills, while another 22 per cent funded the development and acquisition of professional qualifications.

- A total of over £2 million was loaned over the period surveyed - an average of £6,127 per loan. The average cost per loan to DfEE was £381.

- More than 60 per cent of loans were taken out by businesses with five or fewer employees.

- Almost half of the businesses interviewed had turnovers of £100,000 or less, and more than half had only been established since 1995.

- Across businesses surveyed, there had been an overall growth in employment of 28 per cent between the time of the loan application and a subsequent survey of the operation of the Scheme.

Learning and Skills Council

6.28. It is proposed to establish a Learning and Skills Council for England in April 2001 to take responsibility for the provision of post-16 year old education and training, other than higher education. The Learning and Skills Council will have a statutory duty to promote equal opportunities.

Northern Ireland

Work based training programmes

6.29 In Northern Ireland, *Jobskills* programmes comprise three distinct but inter-linked strands of vocational/work based training, each dealing with the needs of a particular group of trainees.

- Modern Apprenticeships were introduced in 1996 to encourage employers and young people to achieve relevant skills levels and increase the skills base in industry. The programme encompasses 34 occupational sectors with a plan to increase coverage over the next two years. It is available to young people in the 16 to 24 age group.

- Traineeships are available as part of the *Jobskills* programme for young people mainly in the 16 to 18 age group in training to National Vocational level 2 and associated skills. Training is provided through a network of training organizations under partnership agreements with employers.

- Access provides individually tailored training in basic skills or other requirements mainly to 16 and 17 year olds; (people with a disability may enter Access up to their 22nd birthday). It is designed to provide trainees with the competence to progress to a higher training level or to find a job.

In addition, Enterprise Ulster is a statutory employment training organization the functions of which are designed to complement various New Deal initiatives. It provides training for those in the:

- 25 to 60 age group who have been claiming JSA for between three and 12 months;

- 18 to 60 age group who are not claiming JSA but have been unemployed for more than three months.

The training is of an environmental, amenity, cultural or community nature and may last between 6 and 12 months. The object is to expand the trainees' future prospects of obtaining work to which they are best suited.

Temporary employment programmes

6.30 From August 1999, the Training and Employment Agency has been providing a waged temporary employment programme - *Worktrack* - for long term unemployed individuals aged 18 to 59. It complements the New Deal by providing employment opportunities, each up to 26 weeks duration, for the long term unemployed who are not eligible for the New Deal. The aim is to move participants into sustainable paid employment. Available places are allocated on a pro-rata basis in line with the numbers of long term unemployed in district council areas.

Work based training for adults

6.31 The *Bridge to Employment* programme was launched in May 1997. The main objective of the programme is to provide customized training courses to equip unemployed, and in particular long term unemployed people, with the skills necessary to compete for new employment opportunities on an equal basis with others. Participants on *Bridge to Employment* Training Courses are given the skills necessary to meet the recruitment requirements for employment opportunities provided by inward investment companies and expanding indigenous companies. Training courses are designed in conjunction with the company and carried out by an approved training provider. Periods of in-company training are included to provide participants with on-the-job experience. Trainees are monitored closely during the course and the company is provided with comprehensive reports to help with the final selection for employment. Participating companies are expected to interview all trainees who successfully complete the course. In the period May 1997 to December 1999 around 30 companies participated in the programme, 978 people completed training programmes and 807 of these gained employment (i.e. a success rate of 82 per cent).

Open Learning Access Centre Programme

6.32 In Northern Ireland, it was recognized that there were a number of people who for a variety of reasons were unwilling to take advantage of traditional education and training opportunities in order to improve their employability. Poor experience of formal education or lack of flexibility in the formal systems to accommodate domestic or other responsibilities are the most frequently quoted reasons. The *Open Learning Access* programme operates via a network of Open Learning Access Centres in Belfast and Londonderry providing a range of ICT, *Personal Development* and *Jobsearch Skills* programmes to the unemployed, women wishing to return to the labour market and those with a disability. An increasing number of ethnic minority groups have found this approach suits their needs.

Company Development Programme

6.33 The *Company Development* programme helps companies in training their employees and developing their skills by offering financial support and practical assistance. It is particularly aimed at managers and there is an emphasis on companies involved in exporting or expanding current markets. The programme is open to companies wanting to invest in Northern Ireland, to client companies of the Industrial Development Board and to certain small businesses and hotels.

Scotland

Work based training programmes

6.34 The Scottish Executive's work based training programmes are:

- Skillseekers which is targeted at 16 and 17 year olds, but is also open to 18 to 24 year olds. Skillseekers achieved national coverage in 1996, and provides young people with a work based route to skills and qualifications. The key elements of Skillseekers are: training which must lead to a qualification up to SVQ level 3, an individual training plan, and employer involvement.

- Modern Apprenticeships: Modern Apprenticeships were introduced in Scotland in 1996. They are also aimed at 16 to 24 year olds. Modern Apprentices must be training towards a qualification at SVQ level 3 or above and be following an industry designed framework. There are currently 73 frameworks but most uptake is in traditional sectors e.g. engineering, construction and the motor industry. It is intended to increase recruitment to non-traditional sectors.

- Training for Work is the Scottish Executive's training programme for adults. It aims to help people improve their work related skills through the provision of appropriate training and structured work activity in line with assessed needs. It is open to adults aged 25 and over who have been unemployed for six months or longer although early entry to Training for Work is available for those unemployed people who are particularly disadvantaged in the labour market. The programme is delivered by Scottish Enterprise and Highlands and Islands Enterprise, the two economic development agencies in Scotland, through the Local Enterprise Company network. Those joining undergo an assessment and agree a training plan designed to help them obtain the skills needed to get a job. The Scottish Executive is currently considering the wider policy and strategy issues surrounding future development of the programme, particularly how it can best support the Welfare to Work, Lifelong Learning and Social Inclusion programmes. A consultation document was published in December 1999 and responses will help inform the future position of the programme with regard to programme objectives, client targeting and provision.

- The Training and Employment Grants Scheme provides a wage subsidy and training grant to employers when they recruit either a young person (aged 18 to 24 as a New Deal follow-through option), or an adult (aged 25 and over) who has been unemployed for six months or more. Early entry is available to certain special groups of people, e.g. returnees to the labour market, ex-offenders, persons with a disability. The Scheme is only operated in certain areas within the Scottish Enterprise Network. (Other Employment Grant schemes are available elsewhere, e.g. Employment Grants in Highlands and Islands).

Career Development Loans and Small Firm Training Loans

6.35 These schemes are operated by DfEE and are available in Scotland on the same basis as described in paragraphs 6.26 and 6.27 respectively.

PARTICULAR CATEGORIES OF EMPLOYEES

United Kingdom

Discrimination: General

6.36 Legislation relating to discrimination (race, sex and disability) is noted in the chapter on Article 2 above.

Women's employment

6.37 In the United Kingdom:

- Women comprise 45 per cent of the workforce;
- 73 per cent of women of working age work;
- Women have a lower unemployment rate - 5.2 per cent - compared with men at 6.5 per cent.

The Committee is referred further to the 1999 CEDAW Report at pages 13 *et seq.* and 102 *et seq.*

People with disabilities

6.38 Within the United Kingdom most disabled people are able to make effective use of mainstream employment services and training programmes. The Careers Service plays a key role in transition of all young people, especially those with disabilities, from school to adult life. All employment and training programmes are also now open to disabled people and very often the entry criteria are relaxed. The main programmes are Work Based Learning for Adults, Programme Centres (including Job Club and Jobplan Workshop), work trials, and the New Deal programmes noted above.

6.39 The Employment Service's Disability Service Teams (formerly known as PACTS) act as gateway to a range of specialist measures aimed at removing barriers to work created by disability. These include:

- The Work Preparation programme: a specialist Employment Service provision which works with newly disabled people, or people for whom disability has meant a change of jobs, who may not be ready to move straight into work. The Work Preparation programme is able to help disabled job seekers to understand the effects of their disability on work related activities and to build their confidence, thereby helping them to make effective occupational choices.

- The Access to Work programme provides support tailored to the needs of individual disabled people to enable them to overcome the effects of disability in the work place. Applicants for the programme must be in, or about to enter, paid work. Support can take the form of help with costs of getting to work, of aid and adaptations to equipment, computers or work place and of communicator support for those with hearing or visual impairment.

Ethnic minorities

6.40 The Committee is referred to paragraphs 55 *et seq.* of the 1999 Civil and Political Report and paragraphs 256 *et seq.* of the 1999 CERD Report.

Refugees and asylum seekers

6.41 Refugees with indefinite, limited or exceptional leave to remain in the United Kingdom are free to work if they wish. Asylum seekers whose application for asylum has been outstanding for longer than six months and who have not received a decision may apply for permission to work. If it is granted, they may continue to work if their application is subsequently refused and they appeal against the decision. Those who receive a negative decision within six months are not permitted to work. Both categories may be eligible for work based training programmes for young people and unemployed adults administered by Training and Enterprise Councils. They must generally fulfil the other basic eligibility criteria which apply to all United Kingdom residents. However, certain concessions may be made if refugees or asylum seekers do not speak English. In Training for Work, people with severe English language needs are eligible to enter the programme without having been unemployed for the usual qualifying period of six months. Training and Enterprise Councils receive higher payments in recognition of the additional expense involved in training these and other categories of disadvantaged trainees. Young people whose entry to, or completion of, training has been delayed through difficulties with English can retain the guarantee of a suitable place until the age of 25. Refugees and asylum seekers receive training on the same basis as other trainees.

ARTICLE 7: JUST AND FAVOURABLE CONDITIONS OF WORK

FAIR WAGES

United Kingdom

National minimum wage

7.01 The statutory national minimum wage took effect on 1 April 1999. The rates were based on those recommended to the Government by the independent Low Pay Commission following its extensive fact-finding and consultation exercise. The minimum wage is currently payable at the following rates:

- £3.70 per hour for those aged 22 or over;
- £3.20 per hour for those aged 18 to 21;
- £3.20 per hour for those aged 22 in the first six months of employment by a new employer if they receive accredited training.

Workers aged 16 and 17, apprentices and national trainees aged 18, and apprentices and national trainees under 26 during the first 12 months of their apprenticeship do not qualify for the statutory minimum wage. With few other exceptions, the minimum wage is payable to all workers whether full-time or part-time and whether permanent, temporary, casual or home workers. Latest figures from the Office of National Statistics show that between 1.2 million and 1.5 million workers are now entitled to higher pay as a direct result of the national minimum wage. There has been little or no negative impact on jobs or prices.

7.02 The minimum wage is enforced by specialist compliance officers from the Inland Revenue who undertake appropriate action to ensure that the minimum rate and any arrears of pay are paid. Workers who believe that they are not receiving the minimum wage can call a confidential helpline. Compliance teams also undertake targeted inspections.

Minimum income guarantee for families with children

7.03 Combined with working families tax credit (see the chapter on Article 9 below) and other benefits, the national minimum wage currently provides an effective wage of at least £207 per week (£214 from April 2001) for a family with one (full-time) earner and one child.

Average earnings in Great Britain

7.04 During most of the 1990s, the growth in average earnings has exceeded the growth in retail prices. In April 2000, average gross weekly earnings of adult full-time employees in Great Britain were £410.6 (male £453.3 and female £337.6). There are, however, large differences across occupations: manual employees' gross weekly earnings averaged £321.1 and non-manual employees £464.7. Forty-three per cent of manual employees and 15.8 per cent of non-manual employees worked paid overtime and overtime payments accounted for 11.2 per cent of manual workers' weekly pay, but only 2.2 per cent of non-manual workers' weekly pay. There are also differences between regions and within regions. Average gross weekly earnings ranged from £529.8 for employees in London to £365.8 in the North East of England. Within London, average gross weekly earnings ranged from £76512 in the City of London to £344.7 in Havering.

Average earnings in Northern Ireland

7.05 Average gross weekly earnings of adult employees in Northern Ireland (1999) were £344.9 (£376.8 male and £295.1 female).

Household expenditure of people in employment

7.06 The following table shows household expenditure of households in Great Britain where the head of the household is in full-time or part-time employment or self-employed:

TABLE

Household expenditure by economic activity status of head of household, 1998-99

	Employees			Self employed	All in employment
	Full-time	Part-time	All		
Grossed number of households (thousands)	10 680	1 320	12 000	2 130	14 170
Total number of households in sample	2 793	380	3 173	581	3 767
Total number of persons	7 831	895	8 726	1 808	10 567
Weighted average number of persons per household	2.7	2.3	2.7	3.0	2.7
Commodity or service	Average weekly household expenditure (£)				
1. Housing (Net)	82.70	50.00	79.10	74.80	78.30
2. Fuel and power	12.40	11.80	12.40	13.90	12.60
3. Food and non-alcoholic drinks	71.80	54.30	69.90	80.70	71.40
4. Alcoholic drink	19.40	13.00	18.70	18.40	8.60
5. Tobacco	6.50	5.40	6.40	7.10	6.50
6. Clothing and footwear	8.50	23.80	28.00	33.70	28.80
7. Household goods	37.80	30.00	36.90	42.60	37.70
8. Household services	24.70	23.00	24.50	24.10	24.40
9. Personal goods and services	17.40	11.40	16.80	17.10	16.80
10. Motoring	73.10	43.60	69.90	82.20	71.50
11. Fares and other travel costs	11.80	5.90	11.20	8.20	10.70
12. Leisure goods	24.00	17.50	23.30	22.20	23.1
13. Leisure services	54.10	35.40	52.00	58.60	52.90
14. Miscellaneous	2.00	0.60	1.80	1.50	1.80
1-14 All expenditure groups	466.10	325.70	450.70	485.10	455.00
Average weekly expenditure per person (£)	172.60	140.40	163.50	168.20	168.20

Source: Family Spending 1998/99.

Disposable income

7.07 One of the most commonly used measures of living standards is disposable income. The average disposable income per household rose by over 55 per cent between 1971 and 1996. In addition to wages and other "original" income, disposable income takes account of benefits received and taxes. The Committee is referred to the chapter on Article 11 for a further description of incomes and expenditure.

EQUAL REMUNERATION

United Kingdom

Pay gap between men and women

7.08 The pay gap between men and women continues to diminish. It is currently (end of April 2000) 81.6 per cent of men's hourly full-time wage. The statutory minimum wage will contribute to a further reduction of the pay gap. The Equal Opportunities Commission's statutory Code of Practice on Equal Pay, which came into effect in March 1997, is designed to provide guidance and promote good practice in bridging the pay gap. Although not legally binding on employers, it may be cited in proceedings before Employment Tribunals. The Commission has also launched a campaign to promote equal pay and has set up an employer-led task force to assess what steps could be taken by employers to reduce the pay gap.

7.09 Some 1,500 women presented equal pay cases to Employment Tribunals in 1998/99.

SAFE AND HEALTHY WORKING CONDITIONS

The EU Directive

7.10 The United Kingdom implements the EU Council Directive of 12 June 1989 on measures to encourage improvements in the safety and health of workers. Copies of the Directive and the implementing legislation, the Management of Health and Safety at Work Regulations 1992, were attached to the Third Report. The Committee is referred to Target 25 of the Strategies Report which relates to the health of people at work.

Great Britain

Injury statistics

7.11 The fatal injury rate for employees has dropped substantially over the past 30 years. Rates in the late 1980s and early 1990s were generally less than a quarter of those at the beginning of the 1960s and less than half of those at the beginning of the 1970s. The fatal injury rate in Great Britain for 1998/99 is expected to be 0.8 per 100,000 employees, the lowest on record.

7.12 In 1998/99, the number of non-fatal major injuries to employees is expected to be 28,149 which is a reduction of 4 per cent compared with 1997/98. The number of non-fatal injuries and non-fatal injury rates from 1996/97 cannot be compared with previous years due to the introduction of revised reporting requirements in 1996.

TABLE
of
Fatal and major injuries reported to all enforcing authorities in Great Britain 1994/95 to 1998/1999

Year	Fatal injuries		
	Employee	Self-employed	Total
1994/95	191	81	272
1995/96	209	49	258
1996/97	207	80	287
1997/98	212	62	274
1998/99^{p}	193	65	258
		Major injuries	
1994/95	17 041	1 313	18 354
1995/96	16 658	1 166	17 734
1996/97	27 964	1 356	29 320
1997/98	29 187	815	30 002
1998/98^{p}	27 450	664	28 114

^{p} *provisional.*

Data from 1996/97 onwards cannot be directly related to previous years due to the introduction of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR 95).

Northern Ireland

Injury Statistics

7.13 As in Great Britain, the fatal injury rate for employees has dropped substantially over the past 30 years. In recent years, the fatal injury rate for employees appears to have stabilized at about 1.5 per 100,000 employees.

7.14 In 1998/99, the number of non-fatal major injuries to employees and the self-employed as reported to the enforcing authorities was 613, an increase of 26 per cent compared with 1997/98. However, the number of non-fatal injuries and non-fatal injury rates for 1998/99 cannot be compared with previous years due to the introduction of revised reporting arrangements in 1998. It is likely that the new reporting arrangements also raised awareness of the duty to report such incidents.

TABLE
of
Fatal and major injuries reported to all Northern Ireland enforcing authorities 1994/95 to 1998/1999

(Breakdown between employees and the self-employed not available.)

Fatal injuries	
Year	**Total**
1994/95	25
1995/96	29
1996/97	21
1997/98	24
1998/99	24
Major injuries	
1994/95	459
1995/96	417
1996/97	538
1997/98	453
1998/99	613*

* Data from 1998/99 onwards cannot be directly related to previous years due to the introduction of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997 (RIDDOR(NI) 97).

EQUAL OPPORTUNITIES FOR APPOINTMENT AND PROMOTION

Great Britain

Public appointments

7.15 In recent years, there have been a number of initiatives aimed at securing, on merit, greater representation in the public service and on public bodies of women, members of the ethnic minorities and disabled people. Since 1992, all government departments have had individual plans with measurable goals for improving performance. The tables below show that, since then, there has been a steady increase in the number of appointments held by women.

TABLE

Public appointments held by women in the United Kingdom between 1992-1999

	1992	1995	1999
All public appointments	41 011	40 170	35 088
Number of appointments held by women	10 701 (26%)	11 898 (30%)	11 647 (33%)

The number of appointments held by members of the ethnic minorities has also increased during this period.

	1992	1995	1999
Appointments held by member of the ethnic minorities	802 (2%)	1 184 (3%)	1 649 (4.7%)
Of ethnic minority appointments, number held by women	158 (20%)	349 (30%)	532 (32%)

7.16 The Government has also launched a new initiative to encourage greater participation of under-represented groups in public life. This involves a plan of action based on the following commitments:

- equal representation of women and men in public appointments, and a pro rata representation of members of ethnic minority groups and disabled people;

- appointment on merit, using fair selection procedures which recognize non-traditional career patterns as suitable qualifications for appointments.

Promotion

7.17 United Kingdom discrimination law also applies to promotion. The Committee is referred:

- for women: to page 13 and the chapters on Articles 6 and 7 of CEDAW in the 1999 CEDAW Report;

- for ethnic minorities: to paragraphs 104 to 110 and 154 to 184 of the 1999 CERD Report.

WORKING HOURS

United Kingdom

The Working Time Regulations 1998

7.18 Limitations on working hours and the right to rest and paid holidays are set by the Working Time Regulations 1998 (WTR), which came into force on 1 October 1998. Corresponding legislation (the Working Time Regulations (Northern Ireland) 1998) came into force in Northern Ireland in November 1998. The WTR implements EU Working Time Directive of 23 November 1993 and the provisions concerning working time of the EU Young Workers Directive of 22 June 1994.

7.19 The WTR sets a limit of 48 hours a week (averaged over a standard 17 week reference period) which a worker can be required to work and a limit of an average of 8 hours work in 24 which night workers can work. Night workers are also entitled to receive regular health assessments. The entitlement to four weeks paid annual leave is available to all workers who have worked continuously with the same employer for 13 weeks. In addition workers have a right to 11 consecutive hours rest in any 24 hours period, a 20 minute in-work rest break if their working day is longer than six hours and a right to one day off each week. The WTR extends additional protections to adolescent workers (those who are above minimum school leaving age but under 18). Adolescent workers are entitled to 12 hours rest each day, two days rest each week, an in-work rest break of 30 minutes where the working day is longer than four and a half hours, and health and capacities assessments if they are night workers.

7.20 The WTR provides that workers can voluntarily opt out of the working time limit, but can subsequently choose to be covered by the working time protection again at any time. The entitlements to rest and the night work limits can be modified or excluded by a collective (union) or workforce agreement. Such agreements can also be used to extend the working time reference period up to 52 weeks. In addition, the rest entitlements and night work limits can be disapplied in a range of special circumstances provided that an equivalent period of compensatory rest is extended to the worker at a later date. The specific United Kingdom opt-out for daily and weekly working time limits and night working of 16 to 17 year olds expired in June this year and the Government will be consulting on changes to the WTR.

Bank holidays

7.21 The Banking and Financial Dealings Act 1971 provides for bank holidays in the United Kingdom. However, the legislation does not confer a right on employees to be paid for public holidays. Any such entitlement depends on the terms of an employee's contract of employment. Entitlements of this nature can sometimes be inferred even when they are not explicitly part of the customary terms of employment in a particular industry.

OTHER CONDITIONS OF WORK

Great Britain

Part-time work

7.22 Regulations to give effect to the EU Directive on Part-Time Work came into force on 1 July 2000. Part-time workers are to be treated no less favourably in their contractual terms and conditions than comparable full-time workers. This means that part-timers are now entitled to equal treatment in their terms relating to pay, pensions, holidays and training calculated on a pro rata basis where appropriate. The Government also provides information on part-time work and its benefits, particularly for working parents and for providing additional flexibility within the workforce.

Family friendly employment policies

7.23 Under the Employment Rights Act 1996 pregnant workers may not be unreasonably refused paid time off work for antenatal care. The dismissal of a woman because she is pregnant or for reasons connected with her pregnancy is automatically deemed to be unfair.

7.24 Under regulations made under the Employment Relations Act 1999, both parents of each child born or adopted on or after 15 December 1999 are entitled to 13 weeks unpaid leave at any time up to the child's fifth birthday (or the fifth anniversary of adoption) to look after the child or make arrangements for its welfare if they have completed a period of one year's qualifying service with their employer. The leave may be taken in short or longer periods as agreed with the employer. Under the Employment Rights Act 1996 (as amended by the 1999 Act) all employees, regardless of their length of service, are also entitled to unpaid leave to look after a sick child or deal with some other family crisis.

Continuous employment

7.25 On 1 June 1999, the Unfair Dismissal and Statement of Reasons for Dismissal (Variation of Qualifying Period) Order 1999 reduced the qualifying period for the right to make a general unfair dismissal claim to an employment tribunal, and for the right to receive, on request, a written statement of reasons for dismissal, from two years to one.

Employment Rights (Dispute Resolution) Act 1998

7.26 The Employment Rights (Dispute Resolution) Act 1998 has allowed changes to certain tribunal rules of procedure in order to streamline them and increase efficiency.

ACAS arbitration scheme for unfair dismissal disputes

7.27 The 1998 Act, which, among other things, promotes alternative methods of resolving disputes, authorizes the Advisory, Conciliation and Arbitration Service (ACAS) to introduce a voluntary scheme for the arbitration of unfair dismissal disputes which will be a more informal and less legalistic alternative to an employment tribunal hearing. It is hoped that the scheme will begin operation early in 2001.

Northern Ireland

Employment equality

7.28 At the examination of the Third Report, the Committee enquired of the Government's response to the Standing Advisory Committee on Human Rights Report on *Employment Equality: Building for the Future*. In March 1998, a White Paper *Partnership for Equality* was published setting out the Government's proposals on employment equality, and many of the proposals are now included in the Fair Employment and Treatment (Northern Ireland) Order 1998. As noted in the chapter on Article 2, the Northern Ireland Act 1998 gave effect to the proposal for a single Equality Commission.

Part-time work

7.29 Regulations to implement the EU Part-Time Work Directive in Northern Ireland came into operation on 1 July 2000.

Family friendly policies

7.30 The Employment Rights (Northern Ireland) Order 1996 makes provision for pregnant workers similar to that set out in paragraph 7.23 above. Under that Order, as amended by the Employment Relations (Northern Ireland) Order 1999 and the accompanying Maternity and Parental Leave, etc. Regulations (Northern Ireland) 1999, both parents of children born or adopted on or after 15 December are entitled to 13 weeks unpaid leave to care for the child or make arrangements for its welfare provided that they have completed a period of one year's qualifying service with their employer. The same provisions provide that all employees, regardless of their length of service, are also entitled to unpaid leave to care for dependants and are protected from being penalized for exercising this right.

Continuous employment

7.31 The Unfair Dismissal and Statement of Reasons for Dismissal (Variation of Qualifying Period) Order (Northern Ireland) 1999 reduced the qualifying period of continuous employment needed to acquire the right not to be unfairly dismissed from two years to one year. It also similarly lowered the period of continuous employment required for entitlement, on request, to a written statement of reasons for dismissal.

Voluntary arbitration

7.32 The Labour Relations Agency is enabled, subject to the approval of the Department of Higher and Further Education, Training and Employment, to provide an arbitration scheme as a voluntary alternative to adjudication by the industrial tribunals. It is hoped that the scheme will begin operating early in 2001.

ARTICLE 8: TRADE UNIONS

Great Britain

THE RIGHT TO JOIN A TRADE UNION

The Human Rights Act 1998

8.01 The right to freedom of association, including the right to form and to join trade unions for the protection of the members' interests, is one of the rights recognized by the Human Rights Act 1998. Annex 1 to the 1998 Report to the ILO on Convention 87 (Freedom of Association and Protection of the Right to Organize) contains the United Kingdom's reply to the Committee of Experts' 1996 Direct Request on the right to belong to a trade union.

Trade unions and their membership

8.02 At December 1998, there were 220 listed trade unions in Great Britain. According to official figures collected by the Certification Officer for Trade Unions and Employers' Associations, there were about 7.8 million trade union members in Great Britain, which represents some 34 per cent of employees.

RIGHT TO ORGANIZE AND COLLECTIVE BARGAINING

The Employment Relations Act 1999

8.03 The 1998 Report to the ILO on Convention 87 (Freedom of Association and Protection of the Right to Organize) and the 1999 Report to the ILO on Convention 98 (Right to Organize and Collective Bargaining) contain the United Kingdom Government's replies to the observations of the Committees of Experts on various aspects of the law relating to trade unions and their members. The reports refer to the policy of the Government set out in the 1998 *Fairness at Work* White Paper and legislative proposals relating to employment relations. Those proposals have now been enacted in the Employment Relations Act 1999. A copy of the Act is appended at Appendix J.

Recognition

8.04 The Employment Relations Act 1999 amends the Trade Union and Labour Relations (Consolidation) Act 1992 by adding a new Schedule A1 to provide a statutory procedure for trade union recognition for the purpose of collective bargaining in organizations employing 21 or more workers where that is the workers' wish. If the union and the employer are unable to agree on arrangements for recognition for a particular bargaining unit, the procedure provides for the matter to be referred to the Central Arbitration Committee (CAC) composed of members experienced in industrial relations including people from both sides of industry. The CAC must then determine various issues concerning the union's application for recognition, including the appropriateness of the union's proposed bargaining unit. The procedure gives the parties the opportunity at every stage to resolve their differences voluntarily. However, if voluntary resolution cannot be found, the CAC may issue a declaration that the union is entitled to conduct collective bargaining for a specified bargaining unit if various tests of union membership or worker support for recognition are met. Where the CAC makes such a declaration, the union and the employer may agree on the method by which they will conduct collective bargaining or, if they are unable to do so and either of them requests the assistance of the CAC, the CAC will specify the method of conducting collective bargaining on the issues of pay, hours of work and holidays. Unless the parties wish otherwise, the method of conducting collective bargaining constitutes a legally binding contract and may be enforced by a court order for specific performance.

Opting out arrangements

8.05 Section 17 of the 1999 Act provides new powers for the Secretary of State to make regulations where a worker is subject to detriment by his employer, or dismissed, on the grounds that he refuses to enter into a contract which includes terms which differ from the terms of a collective agreement which would otherwise apply to him.

Disciplinary hearings

8.06 The 1999 Act also provides for individual workers to be accompanied by a fellow worker or trade union representative at hearings with the employer about grievances or disciplinary matters. This right applies to organizations of all sizes and is not contingent on a union being recognized for collective bargaining purposes. These provisions, together with a revised Code of Practice on disciplinary and grievance procedures produced by the independent Advisory, Conciliation and Arbitration Service, came into force on 4 September 2000.

Discrimination and trade unions

8.07 In their concluding observations on the examination of the United Kingdom's Third Report, the Committee commented on the practice of employers differentiating between union and non-union employees, e.g. by giving pay rises to employees who do not join a trade union. The 1999 Act contains provisions making it unlawful for an employer to discriminate by omission on grounds of trade union membership or union activities. This means that discrimination which occurs as a result of a failure to act by an employer will be treated in the same way under the law as discrimination which occurs as a result of an act. This provision came into force on 25 October 1999.

"Blacklisting"

8.08 The Employment Relations Act 1999 provides that the Secretary of State may make regulations prohibiting the compilation, dissemination and use of lists which:

> "(a) contain details of members of trade unions or persons who have taken part in the activities of trade unions, and
>
> (b) are compiled with a view to being used by employers or employment agencies for the purpose of discrimination in relation to recruitment or in relation to the treatment of workers." (section 3 (1)).

THE PUBLIC SERVICE

Government Communication Headquarters

8.09 In 1997 the Government restored union rights at the Government Communications Headquarters (GCHQ). The GCHQ Staff Federation has now become the GCHQ Group of the Public and Commercial Services Union, the largest trade union representing civil servants, and is recognized for consultation and negotiation on matters exclusive to GCHQ.

THE RIGHT TO STRIKE

Ballots and notices

8.10 The Employment Relations Act 1999 makes further provision in respect of industrial action ballots and notices and the protection of workers who take part in lawfully organized industrial action.

8.11 Under the Trade Union and Labour Relations (Consolidation) Act 1992, a trade union proposing to take industrial act, including organising a strike, is required to hold a ballot of its members who are likely to be involved. The 1999 Act simplifies the provisions of the earlier Act by:

- ensuring that unions cannot be required to inform the employer of the names of their members they are balloting;
- enabling unions to extend the validity of an industrial action ballot by a maximum of a further four weeks if both union and employer agree that they would prefer to carry on negotiating;
- clarify and extend the circumstances in which a union may hold aggregate industrial action ballots of members having separate workplaces;
- extend the scope for the courts to disregard small accidental failures in the organization of industrial action ballots.

These amendments came into force on 18 September 2000.

Unfair dismissal of workers taking part in a strike

8.12 The Committee is aware of the manner in which the law of the United Kingdom gives effect to the right to strike and the protection accorded to persons, including trade unions, who, in furtherance of a trade dispute, induce another to break a contract of employment or interfere with its performance. When employees take strike or other industrial action, the law prevents any court from ordering an employee to return to work. The Employment Relations Act 1999 amends the Trade Union and Labour Relations (Consolidation) Act to make further provisions to protect from unfair dismissal employees who are taking part in a lawfully organized official strike. Under these provisions it will, as a matter of law, be unfair to dismiss employees in the first eight weeks of strike action; (a period of eight weeks is considered a reasonable time for the parties to have detailed discussions in an attempt to resolve the dispute). After the end of that period, the dismissal of an employee would still be regarded as unfair unless the employer had taken all reasonable steps (including complying with the procedures established by any collective or other agreement) to resolve the dispute. This provision came into force on 24 April 2000.

Northern Ireland

Separate legislation

8.13 The law relating to Trade Unions and their members in Northern Ireland is broadly the same as that in Great Britain though there is separate legislation. The Human Rights Act 1998 applies in Northern Ireland.

Trade unions and their membership

8.14 There are currently five trade unions with headquarters in Northern Ireland listed by the Certification Officer with 40,498 members. However, many trade unionists in Northern Ireland belong to unions listed in Great Britain.

The Employment Relations (Northern Ireland) Order 1999

8.15 The Employment Relations (Northern Ireland) Order 1999 makes similar provision to that made by the Employment Relations Act 1999:

- a new Schedule A1 to the Trade Union and Labour Relations (Northern Ireland) Order 1995 provides the statutory procedure for trade union recognition for the purpose of collective bargaining in organizations employing more than 21 workers, but, under this Order, the functions of the CAC are conferred on the Industrial Court. The constitution and proceedings of the Court are set out in Article 25 of the Order;

- an amendment to the Employment Rights (Northern Ireland) Order 1996 provides for the right of an employee not to be subject to a detriment by reason of trade union membership or activity (Schedule 2);

- further provision is made for ballots and notices prior to industrial action and the Trade Union and Labour Relations (Northern Ireland) Order 1995 is amended in a similar manner to that set out in paragraph 8.11 above;

- an amendment to the Employment Rights (Northern Ireland) Order 1996 provides that the dismissal of employees taking part in a lawfully organized strike is unfair if it takes place within the first eight weeks of the strike or, if the employer fails to take reasonable efforts to resolve the dispute thereafter.

A copy of the Order is set out at Appendix K.

Regulations

8.16 The Order also empowers the Northern Ireland Department of Higher and Further Education, Training and Employment to make regulations:

- where a worker is made subject to a detriment or dismissed in respect of opting out arrangements (Article 19); and

- in respect of blacklisting (Article 5).

ARTICLE 9: SOCIAL SECURITY

United Kingdom

MEDICAL CARE

The National Health Service

9.01 The National Health Service (NHS) provides a comprehensive health service throughout the United Kingdom. Following devolution, it is administered in England by the Department of Health, in Northern Ireland by the Department of Health and Social Services Northern Ireland, in Scotland by the Scottish Executive, and in Wales by the National Assembly for Wales. The policies of the NHS and the services provided by the NHS and other medical and related services are described in the chapter on Article 12 below.

Public expenditure on health

9.02 The NHS is mainly funded from general taxation with additions from the NHS element of National Insurance contributions, patient charges and other receipts. Total United Kingdom expenditure on the NHS in 1998/9 was £48.8 billion (England £39.9 billion, Northern Ireland £1.4 billion, Scotland £4.9 billion and Wales £2.5 billion) of which £45.1 billion was from public monies. Total expenditure on health amounted to 5.7 per cent of the United Kingdom Gross Domestic Product and 14.7 per cent of total government expenditure.

THE SOCIAL SECURITY SYSTEM

Nation-wide social security

9.03 The United Kingdom[10] has a comprehensive scheme of social security cash benefits which covers the entire population. The social security scheme includes provision for sickness, invalidity, maternity, old-age, survivors, employment injury, unemployment and family benefits.

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[10] There are separate legal systems for social security in Great Britain and Northern Ireland, but the systems operate on a parity basis so as to provide a single system of social security throughout the United Kingdom. Reference to legislation in this part of this Report is to legislation in force in Great Britain and the corresponding Northern Ireland legislation is not cited.

TABLE
of
Estimated Numbers Receiving Benefits in Great Britain and Northern Ireland 1998-99[a]

Benefit	Contributory (C) or non-contributory (NC)	Thousands Great Britain	Northern Ireland
Retirement Pension	C	10 789	39.9
Widow's benefit	C	258	9.8
Jobseeker's Allowance			
contribution-based	C	239	6.3
income-based	NC	1 166	48.9
Incapacity Benefit	C		
short term (lower rate)		106)	74.0
short term (higher rate) and long term		1 528)	
Maternity Allowance	C	14	0.6
Non-contributory Retirement Pension	NC	24	1.5
War Pension[b]		299	
Attendance Allowance	NC	1 290	75.2
Disability Living Allowance	NC	2 216	133.7
Disability Working Allowance	NC	14	1.2
Invalid Care Allowance	NC	376	38.0
Severe Disablement Allowance	NC	412	18.3
Industrial Injuries Disablement Benefit[c]	NC	295))	
Reduced Earnings Allowance[c]	NC	151)	11.1
Industrial Death Benefit	NC	17)	
Income Support	NC	3 907	175.4
Child Benefit	NC		
number of children		12 737	459.6
number of families		7 036	
One parent benefit/			
Child Benefit (Lone Parent)	NC	935	
Family Credit	NC	617	30.9
Housing Benefit	NC		
rent rebate		2 565	104.4
rent allowance		1 902	36.2
Council Tax Benefit	NC	5 268	
Rates rebate: Northern Ireland	NC		140.6

[a] Figures are for beneficiaries at any one time.

[b] War pensions are administered by DSS on a United Kingdom wide basis.

[c] Figures refer to the number of pensions being paid, and not to the number of recipients.

Information about entitlement to benefits is provided in a wide range of leaflets and posters (in English and other languages) which are available in Post Offices, Job Centres, Social Security offices and offices of the Citizens Advice Bureau. The Department of Social Security (DSS) also has a Web site and a confidential Benefit Enquiry Telephone Line.

Expenditure on social security

9.04 Financial provision for social security benefits is made either through the National Insurance Scheme, to which employers and employees are required to contribute, or from general taxation. In England, Scotland and Wales, spending on social security benefits grew from £93.2 billion to £95.8 billion over the period from 1993/94 to 1998/99 (amounts in 1998/99 prices and include payments both from the National Insurance Fund and from general revenue). This is a growth rate of about 0.6 per cent per year on average, compared with growth in the economy as a whole of about 3 per cent a year over the same period. In 1993/94 benefit expenditure in Great Britain represented nearly 13 per cent of United Kingdom GDP. Since then spending has fallen as a percentage of GDP, and in 1998/99 it accounted for slightly over 11 per cent and represents about 29 per cent of general government expenditure. In Northern Ireland, expenditure on social security benefits in 1992-93 amounted to £2,361.7 million. This represented 33.5 per cent of general Government expenditure in Northern Ireland. Since 1978/79 expenditure has grown at an average of 4 per cent per annum in real terms. This is equivalent to a rate (excluding benefits to the unemployed) of around 4.1 per cent. This underlying increase is mostly accounted for by increased expenditure on pensioners, the sick and disabled, and on families (in particular lone parents).

Changes in National Insurance contributions

9.05 Changes to the National Insurance contribution system which came into force in April 1999 will improve work incentives and encourage job creation. The key measure involves a change in the National Insurance contribution structure. Prior to April 1999, once a person earned at, or £1 above, the lower earnings limit (LEL) - £64 a week in 1998/99, he had to pay National Insurance (NI) contributions on the whole of his earnings. Under the changes introduced, employees will no longer have to pay NI contributions on earnings below the LEL. From April 2000, a new starting point will be introduced for paying employees' contributions - the Primary Threshold; this is £76 per week in 2000/01. From April 2001, the Primary Threshold will be aligned with the income tax personal allowance. Benefit entitlement for those earning between the LEL (£67 per week in 2000/01) and the Primary Threshold will be protected. For employers there was a similar change; removing the liability to pay NI contributions on earnings below the LEL and aligning the point at which they start to pay contributions with the income tax personal allowance. This means that from April 1999, liability for the employer's share of contributions arises only on their employees' earnings over £83 a week. In addition, the previous system of multiple NI contribution rates for employers was replaced with a single rate.

Welfare reform

9.06 The Welfare Reform and Pensions Act 1999 (a copy of which is appended at Appendix L) contains a range of new measures relating to social security benefits, pensions and national insurance contributions in four key areas:

- pensions;
- bereavement benefits;
- measures to keep people in touch with the labour market; and
- incapacity and disablement benefits.

Specific provisions of the Act are noted below.

SOCIAL SECURITY BENEFITS

Current benefits

9.07 Benefits under the social security scheme (also including Statutory Sick Pay and Statutory Maternity Pay payable, or contributed to, by employers), and the conditions under which they are payable, were described under Articles 9 and 10 in the United Kingdom's Third Report under the Covenant. (The Committee is also referred to the United Kingdom's Report on the ILO Convention No. 102 for the period 1 June 1997 to 31 May 1998 and the response to the Committee of Experts' observations on it.) The current rate of benefits is set out in Annex 2 to this Report.

Sickness and Invalidity benefits[11]

9.08 Currently, people with a long term illness or disability can claim a number of different benefits to help meet their needs. Depending on their circumstances, people can qualify for more than one of these benefits at the same time. In addition to Incapacity Benefit (contributory), there are the following non-contributory benefits:

- Severe Disablement Allowance: a tax-free benefit payable to people who have not been able to work for at least 28 weeks because of illness or disability, but who are not eligible for Incapacity Benefit;
- Disability Living Allowance: a tax-free benefit to assist people under 65 with extra costs incurred as a result of disability;
- Attendance Allowance: a tax-free benefit to provide financial help to people over 64 with extra costs incurred as a result of disability.

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[11] Paragraphs 65-72 of the Third Report.

Individuals may also be eligible for Income Support, Housing Benefit, Council Tax Benefit or Disabled Person's Tax Credit (which replaced the Disability Working allowance in October 1999) which is payable under the same rules as those for the new Working Families Tax Credit (see paragraph 9.16 below).

9.09 In October 1998, the Government published its plans for reforming benefits for people with a long term illness or disability. In the consultation paper, *A New Contract for Welfare - Support for Disabled People*, the Government set out its view that, although the benefits which were currently available were intended to provide security for all those with a long term illness or disability, in some respects the level of support did not fully match their needs. The Government also indicated its view that changes were needed to Incapacity Benefit - both to restore the original purpose of the benefit in providing a replacement income for people recently in work and to take account of changing social conditions. The consultation paper proposed a number of changes and these are now provided for in the Welfare Reform and Pensions Act 1999 or other legislation:

- young people who are disabled and cannot work and who claim benefit before the age of 20 may now receive Incapacity Benefit which will reduce the need to rely on Income Support to top up their income;

- a new Disability Income Guarantee gives single, severely disabled recipients under 60 years of age nearly £6 a week extra, and couples over £8 a week extra;

- the higher rate mobility component of Disability Living Allowance - currently worth £37.00 a week - is extended to three and four year old severely disabled children;

- those claiming incapacity benefits are required to take part in an interview with a personal adviser, to ensure that they receive help to plan a route back to work, and to get the benefits to which they are entitled;

- the link between work and entitlement in Incapacity Benefit is strengthened so that the benefit is only paid to those who have recently been in work and paid National Insurance contributions in one of the three years prior to the claim;

- account is taken of income from occupational and personal pensions in assessing Incapacity Benefit; Incapacity Benefit is reduced by 50p for every additional £1 of pension income received above the first £85.

The measures in the Act do not require any disabled people to look for work if they do not wish to and no existing claimants will lose any benefit entitlement at the point of change.

Maternity benefits[12]

9.10 Women in employment who earned less than the lower earnings limit for the payment of NI contributions previously fell outside the scope of the scheme for Statutory Maternity Pay (funded from general taxation with a contribution from employers, except for small businesses, of 8 per cent) and the State scheme for Maternity Allowance. However, the Welfare Reform and Pensions Act 1999 extends entitlement to Maternity Allowance to the low paid (i.e. those women earning below the lower earnings limit applicable to NI contributions). Earnings from all sources, including self-employment, will count in assessing earnings. Self-employed women will get the same standard rate as employees. The measures took effect for women expecting a baby on or after 20 August 2000 and it is expected that around 27,000 mothers-to-be will benefit from the changes.

Old-age benefits[13]

9.11 In April 1999, the Government introduced a new £2,500 million package for current pensioners. It included a Minimum Income Guarantee for single pensioners at £75 per week and for couples at £116.60 a week, which is operated through the means tested Income Support scheme. Also included are annual Winter Fuel Payments payable to people over 60 (currently £150 per pensioner household) and free sight testing.

Proposed pension reform

9.12 In December 1998 the Government published a wide-ranging consultation document on pension reform. The paper outlines a number of proposals relating to the future of both State and additional retirement pensions. The proposal includes a reform of the existing State pension (SERPS) through the Second State Pension (S2P). The aim of S2P is to enhance the retirement income of people on low pay, those not working because of caring responsibilities and long term disabled people with broken work records. In addition, the structure of pension reform will provide help and encouragement for moderate earners to opt out of the State scheme and save more for their retirement through funded schemes. These reforms accord with the Government's objectives that everyone should have the opportunity to achieve a decent income in retirement and that pensioners may share in the growing prosperity of the country. To summarize, the proposals are:

- the (first-tier) basic State pension would be retained as a universal, contributory, non-means tested system, increasing in line with prices;
- SERPS would be reformed by the new S2P which is intended to at least double the pension of low earners (on less than £10,000 a year) and provide additional pensions for the first time to carers and long-term disabled people with broken work records;
- low-cost, flexible, funded "stakeholder pensions" would be introduced for those earning around £10,000 to £20,000 a year and who are not in company pension schemes;

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[12] Paragraphs 113-117 of the Third Report.

[13] Paragraphs 81-86 of the Third Report.

- a minimum income would be guaranteed to protect those who are not covered by other pensions including persons already retired for whom the pensions reforms come too late;

- people would receive an annual pension statement, bringing together pension entitlements from all the different sources (i.e. State pensions, stakeholder pension and personal/occupational pension) and showing the retirement income they can expect to receive when they retire.

Stakeholder pension schemes are provided for in the Welfare Reform and Pensions Act and are due to start from April 2001. Provision for S2P is included in the Child Support, Pensions and Social Security Act 2000 and it is hoped to implement the provision in 2002.

Survivors' benefits[14]

9.13 Provisions for reforming bereavement benefits are set out in the Welfare Reform and Pensions Act 1999 and are planned to be implemented in April 2001. They are as follows:

- all those who currently receive widows' benefits will continue to receive them so long as they continue to satisfy the qualifying conditions;

- both widows and widowers will be entitled to a tax-free lump sum Bereavement Payment of £2,000;

- widowed mothers and fathers with dependant children will receive a weekly, taxable, but not means tested benefit - Widowed Parent's Allowance - equivalent to and subject to the same entitlement conditions as the current Widowed Mother's Allowance;

- widows and widowers aged 45 and over with no dependant children will receive a weekly, taxable, non-means tested benefit for one year - the Bereavement Allowance – age-related as for the current Widow's Pension, but with no SERPS component;

- entitlement to these bereavement benefits will be based on the National Insurance contributions of the spouse.

Further proposals to be included in regulations are:

- for widows and widowers with children, it is proposed to disregard the first £10 of Widowed Parent's Allowance when calculating entitlement to Income Support and £15 for other income related benefits;

- men and women who are over 55 at the start of the new arrangements and who are widowed within the subsequent five years would have access to income related benefits without any job seeking requirements. They would also receive a special premium (worth £15.35 a week at April 1999 rates) to help them maintain their income when their transitional bereavement benefit ended after a year.

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[14] Paragraph 87 of the Third Report.

Employment injury benefits[15]

9.14 There has been no change since the Third Report except for the amount of the benefits, for which see Annex 2.

Unemployment benefits[16] **and services**

9.15 The current unemployment benefit, the JSA, was described in the Third Report. The policies and services of the Government for encouraging unemployed people into work - the New Deal programmes - are described in the chapter on Article 6.

Family and disabled tax credits

9.16 With effect from October 1999, a new scheme of tax credits (Working Families Tax Credits (WFTC) and Disabled Persons Tax Credit (DPTC)) has been introduced for working families with children and for disabled people. The new tax credits are administered by the Inland Revenue; they replace Family Credit and Disability Working Allowance and are more generous than the benefits they replace. They will ensure that many more families on low and middle incomes can keep more of what they earn. DPTC is intended to make work pay.

9.17 Families and disabled persons are eligible for the new tax credits if they satisfy the following four conditions:

- Working 16 hours or more a week: The applicants or their partner (if they have one), must be working, on average, for 16 hours or more a week. They can be employed or self-employed. They may have more than one job and either partner may be working (although the hours worked by a couple cannot be added together to reach the 16 hours minimum).

- Responsibility for a child: For WFTC, applicants or their partner must be responsible for at least one child under the age of 16 (or young person aged between 16 and 19, who is in full-time education). The child or young person must be living with the applicant as a member of his or her family. For DPTC tax credits are also available for each child aged up to 18.

- Capital: If applicants, personally or together with their partner, have more than £8,000 in capital, they will not be entitled to WFTC; for DPTC the capital limit is £16,000. Capital includes savings, shares, investments, lump sum payments and the value of second and other houses and land. The house occupied by the applicant and personal possessions are not counted. For WFTC, if applicants, personally or together with their partner, have capital of between £3,000 and £8,000, a standard rate of weekly income of £1 for every £250 of capital above £3,000 is taken into account which will reduce the amount of WFTC they can receive. For example, applicants with savings of between £3,000.01 and £3,250 will have their WFTC entitlement reduced by £1.

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[15] Paragraphs 73-80 of the Third Report.

[16] Paragraphs 88-101 of the Third Report.

- Residence: To apply for WFTC or DPTC applicants must normally live in the United Kingdom and be present there on the date they apply. Their partner, if they have one, must also normally live in the United Kingdom.

9.18 The tax credits consist of four elements: a basic tax credit, an extra credit for those who work more than 30 hours a week, credits for each child in the family with different rates according to the child's age, and a childcare credit worth up to an extra £70 a week for families with one child and £105 a week for families with two or more children who pay eligible childcare costs. The current rates of the tax credits are set out at Annex 2 to this Report. The amount of tax credit due to any person is calculated after taking account of a person's income after deducting tax and National Insurance contributions. If current income is less than £90 per week (£70 for a single person and £90 for a couple or lone parent in the case of DPTC), the maximum credit is payable; if it is over that sum, the maximum credit is reduced by 55 pence for every pound of the excess. The tax credits are payable to most employees with their wages or salaries; self employed people will be paid direct by the Inland Revenue. The new tax credits will be received by about 1.4 million working families at a cost to the tax payer estimated at £4,200 million a year.

Take-up of benefits

9.19 In their concluding observations on the examination of the Third Report, the Committee noted that "approximately one million people do not apply for benefits to which they are entitled". This was a reference to the estimated number of elderly people who did not claim the means tested Income Support. Latest estimates from the Government Statistical Service show for the year 1997/98 between 530,000 and 870,000 pensioners failed to take up their Income Support. One investigation showed that it was generally people with the smallest amount of entitlement who, for one reason or another, did not take up benefit; and in a trial conducted by the Government which informed elderly people of their entitlement and actually completed application forms for them to sign, a significant proportion still declined to claim. The Government is tackling the problems of poverty among today's pensioners by actively seeking ways to encourage more pensioners to claim the benefits to which they are entitled. New pilot exercises were run between April and October 1998 in nine areas of the country to see how, with more effective use of data and new technology, the Government can bring more automatic help to the poorest pensioners. Research was also commissioned in this area. Based on the findings from these projects, the Government is finalising details for a programme which will identify pensioners who are believed to be entitled, and encourage them to claim their Minimum Income Guarantee through Income Support. Details of the campaign were announced in the Spring of 2000.

PARTICULAR GROUPS

Groups who may not have access to certain benefits

9.20 Although the United Kingdom social security scheme covers the entire population, there are a small number of groups who do not have access to certain means tested benefits because their needs are deemed to be met in other ways. The most significant groups are the following.

16 to 17 year olds who are not in education or in work

9.21 Young people aged 16 and 17 are normally expected to be either continuing with their education, working or seeking work, or participating in a Youth Training scheme, or Government Training programme. If their carers get an income related benefit, they may include these young people in their claim if the latter continue in relevant education. Child benefit is payable for young people in relevant education up to the age of 19. Allowances can be paid for young people participating in official training schemes. However, there are certain vulnerable groups of young people that can receive Income Support provided they satisfy the normal conditions of entitlement. They may be one of a couple, (married or unmarried) with a child; or a lone parent; or a single person looking after foster children; or registered blind; or incapable of work or training because of disease or mental or physical disability; or because they are pregnant. Those 16 and 17 year olds who are estranged from their parents, or those acting in place of their parents, and are still in relevant education, may qualify for Income Support. Those who are estranged from their parents, or those acting in place of their parents, who are not in relevant education may make a claim for JSA on the ground of severe hardship. The Children (Leaving Care) Bill 2000 will extend the duties of local authorities to continue to support and advise young people who leave their care after the age of 16.

Students

9.22 The Social Security system is not regarded as the appropriate means of support for students, as they may apply for support through the educational maintenance system which is specifically designed for their needs. Most full-time students are not entitled to Income Support or JSA. However, a student who is one of a couple (who both study full-time) and who have a child may be able to claim JSA during the summer vacation but he or she must be available for work and be actively seeking work during this period. Students on a part-time course may be able to receive JSA, again if they are available for work and actively seeking work. Vulnerable student groups, including lone parents and disabled students, may be eligible for Income Support and Housing Benefit.

People from abroad

9.23 The Immigration and Asylum Act 1999 introduces new support arrangements for asylum seekers (and others who are subject to immigration control). From 3 April 2000, new asylum seekers are no longer eligible for social security benefits; instead any asylum seeker who requires support will be able to apply to the new National Asylum Support Service (administered by the Home Office) for day-to-day support.

9.24 The Immigration and Asylum Act 1999 also provides that people who are subject to immigration control are excluded from entitlement to income based JSA, Income Support, a Social Fund Payment, Housing Benefit, Council Tax Benefit, Attendance Allowance, Severe Disablement Allowance, Invalid Care Allowance, Disability Living Allowance and Child Benefit. However, regulations will exempt the following groups from this general exclusion:

- people given limited leave to enter or remain in the United Kingdom without recourse to public funds who are temporarily without funds. Where there is a reasonable expectation that their funds will resume, Income Support (paid at the reduced Urgent Case Payment rate), Housing Benefit and Council Tax Benefit may be payable for a limited period;

- people admitted as sponsored immigrants who have been resident in the United Kingdom for five years or more are eligible for Income Support, Housing Benefit and Council Tax Benefit;

- people admitted as sponsored immigrants, who have been resident in the United Kingdom for less than five years and whose sponsor has died are eligible for Income Support at the Urgent Cases Payment rate and Housing Benefit and Council Tax Benefit;

- nationals of countries where the United Kingdom has international obligations. Nationals of States signatory to the Council of Europe's European Convention on Social and Medical Assistance and European Social Charter who are lawfully present in the United Kingdom are entitled to claim income related benefits and nationals of parties to relevant reciprocal or EU agreements are entitled to claim non-contributory benefits.

There will also be transitional protection for most of those asylum seekers who are in receipt of Income Support, income based JSA, Housing Benefit or Council Tax Benefit, or who had an outstanding on-arrival asylum application (and who had not received a negative decision on their asylum application) on 2 April 2000. There will also be continuing transitional protection for those receiving non-contributory benefits as a result of transitional protection for changes made in 1996.

ARTICLE 10: THE FAMILY, MOTHERS AND CHILDREN

THE FAMILY

United Kingdom

Meaning of "the family"

10.01 As noted in previous reports, there is no one meaning of the word "family" in the United Kingdom. Under the Social Security Contributions and Benefits Act 1992, "family", for the purpose of the provision of income-related benefits, includes married and unmarried couples, and children and certain other dependants in the household, and lone parents with a child or children or certain other dependants in the household. Under the Family Law Act 1996, cohabitants and former cohabitants have similar rights as respect the occupation of the home as married or former married persons.

Number of households

10.02 There were 58.3 million people in private households in the United Kingdom. (Spring 1998).

One family households	Percentages
Living alone	12
Couple	
No children	26
With dependent children	39
With non-dependent children only	8
Lone parent	11
Other households	4

Source: Labour Force Survey, Office for National Statistics.

Financial assistance to the family

10.03 The Social Security System[17] provides for the payment of:

- Child Benefit, which provides virtually all families in the United Kingdom with a contribution towards the extra costs of families with children; and

- Guardian's Allowance which may be paid in addition to Child Benefit to someone who takes an orphan into the family.

These benefits are payable regardless of income and are free of tax. The current rates are set out in Annex 2.

10.04 Starting in October 1999, Working Families Tax Credit (which includes a new childcare tax credit) is payable to working families. This is described more fully in the chapter on Article 9 above.

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[17] As noted in this Report under Article 9, the social security systems in Great Britain and Northern Ireland, although separate in law, operate in parity to provide a single system throughout the United Kingdom.

Supporting Families

10.05 The 1999 Green Paper *Supporting Families* outlines further proposals for strengthening family life, including the welfare of children. In Scotland, funding is provided for a *Sure Start Initiative* aimed at promoting social inclusion through a positive start in the lives of very young children. See further the paragraph on *Sure Start* in England in the chapter on Article 13.

Family unity

10.06 Immigrants who are settled in the United Kingdom have the same right to be joined by their spouses and children as British citizens. The 1999 Civil and Political Report sets out the position of members of the families of refugees and asylum seekers.[18]

Breakdown of marriage

10.07 The Family Law Act 1996 also makes new and extensive provisions for divorce and separation. The Act requires courts and persons exercising functions under those provisions to have regard to the following general principles:

> "(a) that the institution of marriage is to be supported;
>
> (b) that the parties of a marriage which may have broken down are to be encouraged to take all practicable steps, whether by marriage counselling or otherwise, to save the marriage;
>
> (c) that a marriage which has irretrievably broken down and is being brought to an end should be brought to an end:
>
> (i) with minimum distress to the parties and to the children affected;
>
> (ii) with questions dealt with in a manner designed to promote as good a continuing relationship between the parties and any children affected as is possible in the circumstances; and
>
> (iii) without costs being unreasonably incurred in connection with the procedures to be followed in bringing the marriage to an end; and
>
> (d) that any risk to one of the parties to a marriage, and to any children, of violence from the other party should, so far as is reasonably practicable, be removed or diminished."

Succession to tenancies on death

10.08 The Housing Act 1996 permits the husband or wife, and certain other members of a tenant's family, to succeed to a tenancy on the tenant's death.

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[18] Paragraphs 373, 521 and 562 *et seq.* of the Civil and Political Report.

PROTECTION OF THE FAMILY

England and Wales

Domestic violence

10.09 The problem of domestic violence is discussed in the 1999 Civil and Political Report[19] and the 1999 CEDAW Report.[20] In 1997, 47 per cent of offences currently recorded as homicide against women were by the current or former spouse, co-habitant or lover of the victim. It is always difficult to get a clear picture of violent crime in the home. The 1996 British Crime Survey included a new computerized self-completion questionnaire designed to give the most reliable findings to date on the extent of domestic violence in England and Wales. This questionnaire increased respondents' willingness to report incidents by maximising anonymity and confidentiality. It included incidents which were not reported to the police and encouraged respondents to report incidents which they did not define as crimes. This study estimated that there were 3.29 million incidents of domestic assault against women aged 16 to 59 in 1995 and 3.25 million incidents against men. Twenty-three per cent of women and 16 per cent of men aged 16 to 59 had been physically assaulted by a current or former partner at some time in their lives. These figures increase to 26 per cent and 17 per cent respectively when frightening threats are included. When asked about their most recent incident of domestic assault, 47 per cent of women victims and 31 per cent of men victims reported that they had been injured in some way. About half of the female, and a third of the male, victims said they had been assaulted three or more times in the previous year.

Legislative provision for the protection of family members

10.10 In addition to the more general Protection from Harassment Act 1997, recent laws providing for the protection of family members are:

- the Family Law Act 1996 which enables persons with matrimonial rights and cohabitants to obtain orders from a court enabling them to remain in the family home or to require another occupant to leave the home or refrain from entering a specified part of it in defined circumstances, and for the issue of non-molestation orders for the protection of family members; and

- an amendment to the Children Act which permits the removal of a suspected abuser from the home, instead of, as formerly, having to remove the child.

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[19] Paragraphs 112-123 and 163-165 of the Civil and Political Report.

[20] Pages 173-178 and 188-189 of the CEDAW Report.

Practical measures to combat domestic violence

10.11 A number of measures are being taken to combat domestic violence. These include:

- The Crime and Disorder Act 1998 which places a responsibility on local authorities and the police to form crime and disorder partnerships with other agencies; the guidance to the Act identifies domestic violence as one of the areas to be tackled.

- A series of reviews were commissioned last year into what was currently known about reducing domestic violence. This year, some £6 million has been made available under the *Crime Reduction Programme* for innovative bids from local agencies designed to combat domestic violence and violence against women. The project selection criteria was based on the reviews. The outcomes from the projects grant aided under this scheme will be widely disseminated as part of national guidance on domestic violence.

- All police forces have policy statements on domestic violence and many have appointed Domestic Violence Units or Domestic Violence Officers as well as Child Protection Units. A circular providing detailed guidance to police on dealing with domestic violence incidents was also issued in May this year.

- Government, local authority and voluntary agencies campaign to raise public awareness of the problem and provide agencies with training packs. The latest awareness programme *Break the Chain* was launched in January 1999 and set out the help available to victims. In Wales, this document was published in both English and Welsh.

- A programme, *CHANGE*, is directed to perpetrators of domestic violence and designed to address the attitudes and behaviour which lead to violence in the home.

- Research continues, including research through the agencies providing refuge and support for the victims of domestic violence, into circumstances of violence in the home and the efficacy of programmes to combat it.

Northern Ireland

Domestic violence

10.12 The Committee is referred to pages 181 to 185 of the 1999 CEDAW Report and page 63 of the 1999 Child Report.

Scotland

Incidence of domestic violence

10.13 According to the Scottish Crime Survey, domestic abuse accounted for 16 per cent of the violent crimes recorded and 30 per cent of all violent crimes against women. Six per cent of women, compared with 3 per cent of men, said that their partner had threatened them since 1 January 1995. Six per cent of women and 3 per cent of men said that their partner had used force on them. A common definition of domestic abuse has now been agreed by all Scotland's police forces and Chief Constables have been asked to compile statistics on the basis of that definition from 1 April 1999.

10.14 Scottish Women's Aid figures indicate that over 7,000 women asked for refuge in 1998/99, but only 2,000, with approximately 2,700 children, stayed in a refuge during the year.

Legislation for the protection of the family

10.15 The Matrimonial Homes (Family Protection)(Scotland) Act 1981 provides protection from violent spouses through a system of exclusion orders and interdicts to which a power of arrest may be attached. Where a power of arrest is attached, the police may arrest without warrant where they have reasonable cause for suspecting a spouse to be in breach of an interdict. If a power of arrest is not attached, a breach may be pursued through the civil court. Unmarried victims are only protected if they have obtained from the court a grant of occupancy rights or are otherwise legally entitled to live in the house. The Scottish Executive is currently considering responses to a consultation paper, *Improving Family Law*. This proposes improving the protection available to cohabitants and former spouses. The Protection from Harassment Act 1997 allows both civil and criminal courts to make a non-harassment order. Breach of such an order would be a criminal offence and could lead to up to five years in prison as well as a fine.

Practical measures

10.16 The Scottish Executive fully recognizes the seriousness of the problem of domestic abuse and is taking action to combat it. It has two very specific aims, to create a climate in Scotland where society as a whole condemns all forms of domestic abuse and to ensure a level of service provision consistent with the needs of all women and children suffering at the hands of the perpetrators of such abuse. Measures taken include the following:

- The Scottish Partnership on Domestic Abuse was established in November 1998 to provide a multi-agency approach to domestic abuse. Its members include representatives of the Scottish Executive, local authorities, the police, the judiciary, the Health Service, the Prison Service and voluntary organizations. The Partnership is required to recommend minimum levels of service for women experiencing domestic abuse in order to encourage consistent service delivery throughout Scotland, having particular regard to the needs of women from rural areas, from ethnic minorities and women with disabilities, and taking into account the impact on children and young people affected. It will also recommend effective intervention strategies to prevent male violence against female partners and their children. The Partnership will submit its recommendations to Ministers later this year.

- The Domestic Abuse Service Development Fund was established in April 2000 to support the work of the Partnership. For each of the years 2000/01 and 2001/02, the

Scottish Executive is providing £1.5 million to be match-funded by local authorities or their partners. Scottish Homes is also providing over £2 million to 12 local authority led groups for capital projects to create additional refuge provision and move-on accommodation.

- A three year Public Awareness Campaign began in December 1998 with a television advertisement which stresses that domestic abuse involves emotional abuse and affects children as well as women. There is also a series of advertisements running on commercial radio and in the press. The aim of the campaign is to change people's attitudes to domestic abuse.
- A booklet entitled *Domestic Abuse: There is No Excuse* was issued by the Scottish Executive in September 1999. It provides comprehensive information and sources of help for victims and is being made widely available throughout Scotland through police forces, libraries, doctors' surgeries, social work departments and voluntary organizations.
- A National Telephone Helpline for victims of domestic abuse was launched in June 2000. It is sponsored by Thus PLC and managed by the North Ayrshire Women's Aid.
- Eighteen projects funded through the Social Inclusion Partnerships target issues concerning violence against women. Total funding of £982,940 is being made available for these projects in 1999/2000.
- *Protecting Children: A Shared Responsibility*, an inter-agency guidance issued by the Scottish Executive in November 1998, includes information to help social workers and other agencies to deal more effectively and sensitively with children who have been abused or who may be at risk of abuse. The Scottish Executive is also working with the Zero Tolerance Charitable Trust on an educational package for schools. It will be piloted in Edinburgh this year and, if found suitable, will be extended to schools throughout Scotland next year.

MATERNITY PROTECTION

United Kingdom

Maternity services

10.17 Maternity services are provided through the National Health Service (NHS).[21] Currently the professional team available to a woman throughout her pregnancy and following the birth include the consultant obstetrician, the general practitioner, midwife and health visitor, and she may receive this care at home, at a general practitioner's surgery, at a health centre, at a hospital or any combination of these. A copy of the *Patient's Charter - Maternity Services* is attached as Appendix M.

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[21] Paragraph 108 of the Third Report under ICESCR.

10.18 In January 1994, the NHS began implementing *Changing Childbirth's* recommendations for a more woman centred maternity service in which women are active partners in decisions controlling their care. The recommendations are now generally accepted and there has been significant progress in changing the experience of women during pregnancy and childbirth. An Audit Commission Report in 1997 found that 90 per cent of women surveyed were pleased or very pleased with the way in which they were treated during pregnancy and childbirth. A report detailing the progress and outcomes of the development projects funded as part of the *Changing Childbirth* programme was issued in August 1998; a copy is attached as Appendix N.

Maternal mortality

10.19 Maternal mortality rate is now (1997) 4 per 100,000 live births; (see Target 8 in the United Kingdom's Evaluation Report, 1997, for the World Health Organization, the *Strategies Report*, at Appendix O).

Maternity leave and benefits

10.20 All women are now entitled to 18 weeks ordinary maternity leave.[22] Women may also have additional maternity leave which starts at the end of their ordinary maternity leave and finishes 29 weeks after the birth. To qualify for this, women must have worked for their employer for two years (reducing to one year for women whose children are born on or after 30 April 2000). To qualify for Statutory Maternity Pay, a woman must have worked continuously for 26 weeks with the same employer by the 15th week before her baby is due and have average weekly earnings at least equal to the lower earnings limit (£67 a week at April 2000). The employer pays it at 90 per cent of the woman's average weekly earnings for six weeks and a flat rate (£60.20 from April 2000) for 12 weeks. The pension rights of women on maternity leave are protected. The rate of (State) Maternity Allowance for women who are not entitled to Statutory Maternity Pay is set out in Annex 2.

CHILDREN[23]

England and Wales

Adoption: domestic

10.21 The system of adoption was described in the Second Periodic Report.[24] The number of Adoption Orders made in England has reduced dramatically in recent years from 24,831 in 1968 to 4,317 in 1999. This is as a result of the change in society's attitude to unmarried mothers and abortion in addition to improved methods of contraception. Consequently, there are very few babies under the age of one year available for adoption. Children who need new families are older, are in sibling groups or have special needs.

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[22] See paragraph 7.24 above (Family friendly employment policies) for other parental leave.

[23] See also the 1999 Child Report.

[24] E/1986/4/Add.23.

10.22 An Adoption Contact Register was introduced on 1 May 1991 to assist adopted adults and birth families who wish to make contact with each other. Both the adopted adult and members of the birth family may register their desire to be contacted. The Registrar General who operates the Adoption Contact Register does not offer a tracing service but when there is a link, he will send to the adopted person the name and address of any relative who has also registered. No information about the adopted person is divulged to the birth family and it is for the adopted person to decide if contact is still desired.

10.23 Inspections of local authorities' adoption services by the Social Services Inspectorate in 1997 identified a wide variation in the adoption service. A review of the adoption service launched in February 2000 made 85 recommendations to the Government. In addition to issuing the report as a consultation document, the Government proposes to:

- develop and implement proposals for a National Adoption Register;
- draw up new national standards which local authorities will need to follow;
- set up an Adoption and Permanency Taskforce to spread best practice, tackle poor performance and help all local authorities reach the standards of the best;
- conduct a rapid scrutiny of the backlog of children waiting to be placed with adoptive families and approved adopters waiting for children, to see if any suitable matches can be made.

Adoption: intercountry

10.24 The United Kingdom signed the Hague Convention on Intercountry Adoption in 1994. The United Kingdom aims to bring into force the Adoption (Intercountry Aspects) Act 1999 early in 2001 and ratify the Hague Convention at the same time. The Convention applies important safeguards to prevent the abduction, sale or trafficking in children. It allows only approved bodies to arrange and process the adoption of children. Only applications approved by recognized authorities or approved agencies in the country of the prospective adopter may be considered by the child's country and the authorities must be satisfied that no inducements by payment or compensation have been made or promised. Consent to the adoption has to be given freely by the birth parent who must have been counselled about the implications.

Protection of children: programmes

10.25 The United Kingdom has a well-developed Agenda for Action on child welfare issues. A *Quality Protects* programme was launched in 1998 to improve the management of social services for children, the fundamental aim being to ensure that the most vulnerable children get the best in the way of care, safety and security that society can offer. Linked to the *Quality Protects* programme, the Government has issued revised guidance on how all agencies with child protection responsibilities - social services, the National Society for the Protection of Children, police, health, education, probation services and the voluntary sector - should work together to safeguard children and promote their welfare. The paper *Working Together to Safeguard Children* (published in December 1999) emphasizes the importance of agencies working together to help families and children before abuse and neglect has taken place.

10.26 In parallel with *Working Together to Safeguard Children*, a new framework for assessing children in need was produced in April 2000. The new assessment guidance focuses on the development needs of children and the capacity of their parents and families to respond to those needs in the short and longer term. It is underpinned by the latest knowledge of the impact that adult problems such as alcohol and drug misuse, domestic violence, mental health and sex offending can have on children's development.

The Children Act 1989

10.27 The Children Act 1989, which came into force for England and Wales in October 1991, gives effect to a number of the United Kingdom's obligations under the Convention on the Rights of the Child. It makes extensive provisions for the protection and assistance of children (i.e. persons under the age of 18) with the overriding principle in matters concerning children that the welfare of children is of paramount importance. It also seeks to strike a balance between promoting and safeguarding the welfare of children and respecting the rights and responsibilities of parents. The concept of partnership between parents, children, local authorities and voluntary organizations is central to the Children Act. It is important that both children and those with parental responsibility are fully involved in any decision-making processes.

Duties of local authorities

10.28 Under section 17 of the Children Act, it is the duty of every local authority to safeguard and promote the welfare of children within its area who are in need and, so far as is consistent with that duty, to promote the upbringing of such children by their families. For this purpose local authorities have a wide range of duties and powers which include the dissemination of information about the services available, the maintenance of a register of disabled children and the provision of services for such children, and the provision of accommodation and assistance to enable children to live with their families. For the purposes of this provision, children in need means children who are unlikely to achieve or maintain a reasonable standard of health or development, or whose health or development is likely to be significantly impaired, without the provision of the local authority's services, and children who are disabled.

Children in need of protection

10.29 Local authorities have a duty under section 47 of the Act to make enquiries where they have reasonable cause for concern that a child may need protection. All referrals and allegations, whatever their origin, must be taken seriously. The main objectives of such enquiries are to establish the facts and the circumstances giving rise to concern, to decide if there are grounds for concern, to identify the sources and level of risk, and to decide what protective or other action is necessary in relation to the child or any other person. The local authority keeps a register of children who are considered to be at risk of abuse. The police also have extensive powers to protect children from abuse regardless of the child's relationship with the alleged abuser. In an emergency they may detain a child for a limited period without a prior application to the court. A local authority or an authorized person may apply to the court for a care order where a child is suffering, or is likely to suffer, significant harm attributable to lack of parental care or the child's being beyond parental control.

Accommodation for children

10.30 Under section 20 of the Act, a local authority is required to provide accommodation for children in need who appear to require accommodation as a result of there being no person who has parental responsibility for them, or their being lost or abandoned, or the person who has been caring for them being prevented from providing them with suitable accommodation or care. The local authority may, in addition, provide accommodation for:

- any child over the age of 16 whose welfare the authority considers is likely to be prejudiced if he is not provided with accommodation;
- any child if the authority considers that to do so would safeguard the child's welfare;
- a person over the age of 16 and under the age of 21 who is in a community home, if the authority considers that to do so would safeguard or promote his welfare.

Where a local authority is looking after a child, it is responsible for his accommodation and maintenance either by placing him with a suitable person or in a community, voluntary or children's home; and it is the authority's duty to advise, assist and befriend him with a view to promoting his welfare.

Fostering

10.31 Children who have been placed in the care of local authorities, either through a voluntary agreement with their family or through a court order, may be placed in temporary care in a private home. Such children remain the responsibility of the local authority. Unlike adoption, fostering is designed to help support and keep families together and does not involve the legal transfer of parental rights and responsibilities. There are many different types of fostering that carers can offer. Some carers specialize in one area of fostering but others may take a mixture of children with very different needs. Nevertheless, by providing temporary care, fostering can relieve some of the pressures on families and allow problems to be resolved so that children can return home. Almost half of all children looked after by local authorities in a fostering placement return home within three months and two thirds are eventually re-united with their family.

Residential care

10.32 Residential care is part of the overall network of facilities available to local authorities for children in their care. Children's Homes can be used for a variety of purposes. Some are a long-term base for a child growing up (whose previous experience of family life may be so negative that a foster placement would be inappropriate), others provide emergency care or accommodation for a period while specific tasks are achieved. Many children have suffered the most distressing life experiences and working with them requires highly trained and skilled care staff. It is necessary that staff in the homes take an interest in the child's welfare in the same way that a good parent would by providing a safe environment which promotes the child's development and protects him from exposure to harm.

Children leaving care

10.33 The Children Act provides a comprehensive legal framework which enables local authorities to continue to provide for the care of young persons who have been in care. It is the Government's view that young people should leave care only when they have been adequately prepared and are ready to do so. They should not be obliged to leave care simply because they reached their sixteenth or seventeenth birthday. Every child leaving care is an individual with different needs and problems. Some will have been looked after for only a short period while others may have been in care all their lives. Some will return to a stable home environment, for others such a step will not be possible or practicable. Aftercare support has to be tailored to the needs of the individual child. Whilst considerable progress has been made by social services departments and other agencies in developing services for care leavers, the Government accepts that there is still scope for improvement. The Government is committed to assisting local authorities in their continuing efforts to improve the quality of support they give to care leavers.

The Protection of Children Act 1999

10.34 This Act provides a significantly increased level of protection for children. It places the Department of Health Consultancy Index on a statutory footing and extends its scope to the Health Service for the first time. The Index provides a means by which local authorities and private and voluntary organizations can check the suitability of those they propose to employ in a child care post.

10.35 The Act also establishes a list (the DH List) of persons considered by the Secretary of State to be unsuitable to work with children and requires regulated childcare organizations to refer names to the list in prescribed circumstances. These organizations are required to check the DH List before appointing anyone to a post involving contact with children and not to appoint a person if he or she is on that list or on a similar list maintained by the Department for Education and Employment. In addition, the Act:

- permits access to the DH List to other child care organizations (e.g. Scouts, Guides, youth and sports clubs etc.) and encourages them to refer names to the list;

- ensures that any person who is banned from working in a child care position is also banned from working in the education service, and *vice versa*;

- introduces, for the first time, an independent appeal process into the scheme for persons included on the DH List or the DfEE list; and

- amends Part V of the Police Act 1997 to allow the Criminal Records Bureau to act as a central access point to criminal records information and the DH and DfEE Lists in respect of those applying to work with children.

Other reports

10.36 The chapter of the 1999 Civil and Political Report on article 24 of the ICCPR also relates to child protection, and the Review of the Safeguards for Children Living away from Home. The new Child Safety Order (which supplements protective measures under the Children Act) is noted in paragraph 557 of the report. The 1999 Child Report contains extensive material on the application of the Children Act, including the work of the Social Exclusion Unit, the Ministerial Task Forces established to consider children's issues in areas such as teenage pregnancy, children's safeguards and family support. It also includes information on the *Quality Protects* programme, which aims to transform the public care system; *Sure Start*, a programme to provide support for the newly born to three year olds and their families in deprived areas; and *Tackling Drugs to Build a Better Britain*, a ten year programme.

Child Support Agency

10.37 The aim of the Child Support Agency, which was established in 1991, was to provide a consistent, efficient and effective service for the assessment, collection and enforcement of child maintenance for all families. The current system failed to support parents who want to meet their responsibilities - or to obtain maintenance effectively from those who seek to avoid supporting their children. It is, therefore, intended to replace the present system by one which it is hoped will be more efficient. The necessary legislation, the Child Support, Pensions and Social Security Act, received Royal assent in July 2000.

Economic exploitation

10.38 No child under 16 may work in any industrial undertaking or undertake work that is likely to harm his physical health or is likely to harm his education. Generally no child under the age of 13 may work. In addition, no child may work before 7 a.m. or after 7 p.m.; work for more that two hours on any school day or Sunday; work for more than five hours on a Saturday or school holiday if they are under 15; those over 15 are restricted to eight hours on such days. Children may not work during the school holidays for more that 25 hours a week if under 15 or more that 35 hours a week if over 15.

Northern Ireland

The 1999 Child Report and the Child Support Agency

10.39 The Committee is referred to Chapter 3 of the 1999 Child Report. There is a separate child maintenance system in Northern Ireland, with its own Child Support Agency. The Great Britain and Northern Ireland systems operate on a parity basis so as to provide a single system of child support for the United Kingdom.

Scotland

The Children (Scotland) Act 1995

10.40 The Children (Scotland) Act provides for the paramount consideration principle and children's rights and defines parental responsibilities and rights and public authorities duties and powers in respect of children and families.

Monitoring children's rights

10.41 The Scottish Executive's *Child Strategy Statement* (September 2000) emphasizes that Departments responsible for matters relating to children should consider whether it is appropriate to invite the views of organizations involved with children when considering the development of policies. It also urges that consideration should be given to seeking the views of children themselves, either directly or through a representative organization such as *Who Cares? Scotland* or local Youth Fora.

Protection of children

10.42 The Scottish Executive intends to establish an index of persons considered unsuitable to work with children and to make it an offence for those on the index, and those convicted of certain serious offences against children, to work with children. The consultation period on these proposals closed in October 2000 and a policy position paper will issue once the responses have been assessed.

10.43 Where children are judged to be at risk of serious harm, authorities at local level have powers under the Children (Scotland) Act to act to protect children from abuse or neglect. These include three orders for protecting children in an emergency: child assessment orders, child protection orders and exclusion orders.

Adoption

10.44 In Scotland, responsibility for adoption rests with the Scottish Executive which is reviewing the development of policy in this area.

Wales

Guidance on the Children Act

10.45 The child protection guidance *Working Together Under the Children Act 1989* was issued in 1991. A revised consultation draft *Working Together to Safeguard Children* was issued in Wales in November 1999. The consultation period ended on 31 December 1999 and revised guidance was published in April this year.

Children First

10.46 *Lost in Care*, the report of the North Wales Child Abuse Tribunal of Inquiry (chairman: Sir Ronald Waterhouse), was published by the British Government on 15 February 2000. The National Assembly for Wales intends to respond to the Tribunal's report by means of its *Children First* programme. *Children First* is a three year programme to strengthen local authorities' children's services and ensure that children are receiving safe, effective, high quality care. It includes clear national targets for children's services. £5 million was identified in the local government grant settlement from 1999/2000 onwards to support *Children First*. £48 million extra expenditure has been made possible for 2000/2001. The Assembly expects local authorities to spend at least one third of that on children's services, primarily in support of *Children First*. Additional central resources of £3.5 million are available to support implementation of the recommendations of the Tribunal in 2000/2001. £3 million of this is being made available to local authorities on receipt of proposals from them which will help to deliver *Children First* objectives.

Children's Commissioner for Wales

10.47 The report, *Lost in Care*, recommended the establishment of a Children's Commissioner. An independent Children's Commissioner will be established in Wales on a statutory basis by the beginning of 2001. His role will be to promote and safeguard the rights and interests of all children in Wales. The Commissioner's functions will be introduced on a phased basis. At first, he is to be concerned primarily with services provided for children living away from home, to ensure that their rights and interests are respected. The functions will include the monitoring and oversight of complaints and whistle blowing procedures; the investigation, where appropriate, of individual complaints that come to the Commissioner's attention; the provision of advice and information; and the making of reports, including an annual report to the Assembly. These functions will be supported by a statutory power to request information and assist a child in any related proceedings, for example, in making a complaint to a provider of services. The intention is then to extend the statutory functions as soon as possible to cover all services provided for, or that affect, children in Wales.

Children in care

10.48 The Assembly is also promoting the new National Standards and Code of Practice for foster care in Wales and has consulted on new arrangements for supporting care leavers and proposals for improving the education and health of children in care.

ARTICLE 11: STANDARD OF LIVING

INCOME AND EXPENDITURE

United Kingdom

Per capita GDP and disposable income

11.01 *Per capita* GDP in the United Kingdom varies with the different parts of the country. It ranges from London and the South East (125 and 118 per cent respectively of the United Kingdom average and 140 per cent of the European Union average) to North East England, Wales and Northern Ireland (83, 82 and 80 per cent respectively of the United Kingdom average). Disposable income per head in England ranges from £11,084 in London in 1997 to £8,464 in Northern Ireland, £8,271 in Wales and £8,080 in the North East. However, it is also the case that the disparity in economic conditions and prosperity (and hence GDP and disposable income) within regions is at least as great as that between regions; 13 of the 20 most deprived districts in England are in London.

Redistribution of income through taxes and benefits

11.02 Differences in income are reduced by the redistribution of income through taxes and benefits. The following table compares the average incomes of households in each income quintile at each stage of the redistribution process:

TABLE
of
Redistribution of income through taxes and benefits, 1997-98

United Kingdom						£ per year
	Quintile group of households					
	Bottom fifth	Next fifth	Middle fifth	Next fifth	Top fifth	All households
Average per household						
Wages and salaries	1 510	4 680	12 090	20 780	35 110	14 830
Imputed income from benefits in kind	10	30	90	320	1 010	290
Self-employment income	320	570	1 070	1 700	5 580	1 850
Occupational pensions, annuities	300	940	1 500	2 060	2 770	1 520
Investment income	220	340	610	920	2 980	1 020
Other income	160	210	170	180	160	170
Total original income	2 520	6 780	15 530	25 960	47 610	19 680
plus Benefits in cash						
Contributory	2 010	2 510	1 910	1 150	760	1 670
Non-contributory	2 770	2 490	1 680	900	360	1 640

United Kingdom						£ per year
	Quintile group of households					
	Bottom fifth	Next fifth	Middle fifth	Next fifth	Top fifth	All house-holds
Gross income	7 300	11 780	19 120	28 000	48 720	22 980
less Income tax and NIC	320	960	2 710	5 090	10 530	3 920
less Local taxes (net)	430	540	660	770	910	660
Disposable income	6 550	10 280	15 760	22 140	37 280	18 400
less Indirect taxes	2 010	2 550	315 170	4 680	5 770	3 720
Post-tax income	4 540	7 730	12 180	17 460	31 520	14 690
plus Benefits in kind						
Education	1 750	1 280	1 190	1 040	640	1 180
National Health Service	1 910	1 870	1 850	1 530	1 320	1 700
Housing subsidy	90	80	40	20	10	50
Travel subsidies	50	60	60	70	110	70
School meals and welfare milk	50	20	10	-		20
Final income	8 430	11 030	15 330	20 120	33 590	17 700

Source: Office for National Statistics.

Distribution of disposable income by family type

11.03 The following table shows the distribution of disposable income by family type:

TABLE
of
Distribution of equivalized disposable income by family type 1997/98 in Great Britain

						Percentages
	Net equivalized disposable household income					
	Bottom fifth	Next fifth	Middle fifth	Next fifth	Top fifth	All (= 100%) (millions)
Pensioner couple	24	28	22	14	12	5.2
Single pensioner	26	34	20	13	7	4.1
Couple with children	19	19	23	21	17	17.2
Couple without children	10	10	16	26	37	10.6
One adult with children	43	33	14	6	4	4.5
One adult without children	17	16	20	24	24	8.5
All individuals	20	20	20	20	20	50.1

Source: Households Below Average Income DSS.

Geographically, residents of Wales, Scotland, and all regions in England from the Midlands northwards are under represented in the top income quintile.

Distribution of income by sex

11.04 Adult males are under represented at the bottom of the income distribution. While adult males form 37 per cent of the whole population, they make up only 30 per cent of the bottom quintile, but 45 per cent of the top quintile. Adult women are more evenly distributed. Forming 40 per cent of the whole population, they are slightly under represented in the bottom quintile, and slightly over represented in the second quintile.

Distribution of income by age

11.05 Young people, and in particular children, are over represented at the bottom of the income distribution. Twenty-eight per cent of children live in households where the household income is in the bottom quintile. Individuals in families with the head aged between 25 and 35 had a wide spread distribution being over represented at the very top and bottom of income distribution. Those in families with a head aged 46 to 60 were under represented at the bottom; over half were in the top two fifths of the distribution. For all these age groups, a broadly similar pattern is seen in the *After Housing Costs* (AHC) income. For those aged 60 or over, 28 per cent had *Before Housing Costs* (BHC) income in the bottom quintile and 32 per cent in the second quintile; on the AHC measure, 22 per cent had incomes in the bottom quintile and 32 per cent in the second quintile. The difference between the two measurements is because pensioners tend to have lower housing costs than non-pensioners. The percentage of pensioners in the bottom five deciles was 71 per cent BHC and 66 per cent AHC. Pensioners in families with a head aged over 70 had a higher incidence of low income than younger pensioners.

Distribution of income by ethnicity

11.06 Individuals have been classified according to the ethnic background of the head of household. Overall, the white population make up 93 per cent of all individuals but form a larger proportion of the top two quintiles and a smaller proportion of the bottom one. The white population only make up 87 per cent BHC (86 per cent AHC) of the bottom quintile and only 88 per cent of the bottom decile (BHC and AHC). Conversely, the ethnic minority population are over represented at the bottom of the distribution and under represented at the top. In particular, Pakistanis and Bangladeshis make up 5 per cent of the bottom quintile but only 2 per cent of the overall population. Six out of ten Pakistanis and Bangladeshis (the working rate of Pakistani and Bangladeshi women is much the lowest amongst women) had incomes in the bottom quintile. Few had incomes which would place them in the top five deciles.

11.07 Other ethnic minority groups are also over-represented at the bottom of the income distribution, but not to the same extent. On the BHC measure, a third of people in Black families, Indian families and "Other" families were in the bottom quintile. However, on the AHC measure, the proportion of Black individuals in the bottom quintile rose to over 40 per cent. At the other end of the distribution, between 10 per cent and 15 per cent of those in Black and Indian families BHC were in the top quintile, and slightly lower percentages AHC.

Living standards of individuals

11.08 The best source of information about the living standards of individuals in the United Kingdom is the Government statistical publication *Households Below Average Income* (HBAI): this volume was last published in 1999 and refers to the period 1997/98. HBAI assigns the same level of equivalized household income to each member of that household. As a result, the "income" assigned to each individual, and consequently the position of each individual in the income distribution, reflects the income of the household in which they live. All results are quoted before (BHC) and after (AHC) the deduction of housing costs.

11.09 In 1997/98, average (mean) net equivalized disposable income BHC for the whole population was £318 per week (in April 1999 prices) whilst the median income (that is the value for which half the population has a higher income and half a lower income) was £262. Sixty-two per cent of individuals had an income less than the national average. The income distribution was highly skewed. Excluding the self-employed, mean net equivalized income was £309 per week and median income was £260 per week. Amongst individuals, 20 per cent had incomes between £134 and £189 per week, 30 per cent had incomes over £347 per week, whilst 10 per cent received £517 or more per week.

11.10 The following table shows the ratios of means for specific groups to the overall population mean. Couples and single persons without children have above average mean household equivalized incomes, as do all economic groups which contain a full-time employee or self-employed worker.

TABLE
of
Mean equivalized household income by family and economic groups in Great Britain, excluding self-employed

	Mean equivalized household income BHC	Mean equivalized income as % of population mean equivalized income BHC	Mean equivalized household income AHC	Mean equivalized income as % of population mean equivalized income AHC
Family type groups				
Pensioner couple	270	87	250	93
Single-pensioner	235	76	215	80
Couple with children	305	99	258	96
Couple without children	401	130	356	132
Single with children	198	64	151	56
Single without children	324	105	282	105
All adult men	333	108	293	109
All adult women	310	100	271	101
Economic status group				
Single or couple, all in full-time work	423	137	374	139
Couple, one in full-time work, one part-time	352	114	308	115

	Mean equivalized household income BHC	Mean equivalized income as % of population mean equivalized income BHC	Mean equivalized household income AHC	Mean equivalized income as % of population mean equivalized income AHC
Couple, one in full-time work, one not working	320	104	274	102
One or more part-time	274	89	243	90
Head or spouse aged 60 or over	241	78	219	81
Head or spouse unemployed	151	51	110	41
Other	189	61	144	54
Whole population	309		269	

Source: Households Below Average Income 1994/95 to 1997/98.

11.11 All economic status groups in HBAI have shown increases in average income between 1979 and 1995/96. All of the in-work groups and those aged 60 or over showed large real increases of the order of 45 to 55 per cent. The unemployed showed a small rise in average household income of around 12 per cent AHC, and more BHC. "Other" non-employed average income was up significantly, by around 34 per cent. Similarly, all family type groups have shown increases since 1979.

11.12 The results for the bottom 20 per cent (or quintile) of each of the economic status groups were rather different. The median income of the bottom 20 per cent of those aged 60 or over was 29 per cent higher in 1995/96 than that of their counterparts in 1979. Income of the bottom 20 per cent of singles/couples who all work full-time or couples where one works full-time and the other part-time, was around 30 per cent higher in 1995/96. Income of the bottom 20 per cent of the unemployed showed a slight increase BHC, on central estimates, but was lower AHC in 1995/96 than in 1979.

11.13 The HBAI figures set out above do not take account of the implementation of the Minimum Wages Act 1998, from which 1.5 million people are expected to benefit, or the Working Family Tax Credit and minimum income guarantee which had effect from October 1999 (see the chapter on Article 9 above).

Household expenditure

11.14 Levels of household expenditure reflect the distribution of household income. There are significant differences in the expenditure patterns depending on income. Households with the lower incomes spend a higher proportion on food, light and fuel than households with higher incomes. The following tables show household expenditure by income grouping, in retired households and by ethnic origin of the head of household.

TABLE
of
Household expenditure: by income grouping, 1997/98

United Kingdom						Percentages
	Quintile groups of households[1]					All households
	Bottom fifth	Next fifth	Middle fifth	Next fifth	Top fifth	
Food	23	20	19	16	14	17
Housing	16	16	15	15	16	16
Leisure goods and services	13	15	16	17	20	17
Motoring and fares	11	15	16	19	18	17
Household goods and services	13	13	14	13	14	13
Clothing and footwear	6	5	5	6	6	6
Fuel, light and power	6	5	4	3	3	4
Alcohol	4	4	4	5	4	4
Tobacco	3	3	2	2	1	2
Other goods and services	4	4	5	4	4	4
All household expenditure (= 100%)(£ per week)	171	218	305	407	556	331

Source: Family Expenditure Survey 1998/99.

[1] Net equivalized disposable household income used to rank households.

TABLE
of
Weekly average expenditure of retired households:[1] by whether or not mainly dependent on State pension, 1998/99

United Kingdom				£ per week
	1 adult		2 adults	
	State pension[2]	Other	State pension[2]	Other
Food	22	29	37	53
Household goods and services	18	30	22	39
Motoring and fares	5	21	21	44
Housing	15	32	26	36
Leisure goods and services	11	35	20	66
Fuel, light and power	8	10	10	12
Alcohol and tobacco	4	7	9	12
Clothing and footwear	4	9	6	13
Other goods and services	5	9	7	13
All household expenditure (= 100%) (£ per week)	91	182	158	288

Source: Family Expenditure Survey 1998/99.

[1] Households where the head of household is over State retirement age and is retired.

[2] At least three-quarters of the total household income is derived from State pensions and other benefits.

TABLE
of
Household expenditure: by ethnic group of head of household, 1997/98[1]

United Kingdom					Percentages
	White	Black	Indian	Pakistani/ Bangladeshi	All[2]
Food	17	17	16	25	17
Housing	16	19	18	15	16
Motoring and fares	17	15	20	17	17
Leisure goods and services	17	15	14	9	17
Household goods and services	14	15	15	13	14
Clothing and footwear	6	7	7	11	6
Alcohol and tobacco	4	4	3	4	4
Fuel, light and power	6	3	3	1	6
Other goods and services	4	4	3	4	4
All household expenditure (= 100%) (£ per week)	344	263	404	289	343
Expenditure per person (£ per week)	147	114	117	64	145

Source: Family Expenditure Survey 1998/99.

[1] Combined years, 1997/98 and 1998/99.

[2] Includes those of other ethnic origins and those of mixed origin.

THE AGRARIAN SYSTEM AND FOOD SUPPLY

United Kingdom

Food production

11.15 Agriculture in the United Kingdom contributed £7 billion to GDP in 1999, accounting for 0.9 per cent of GDP. Within the farm sector, livestock production and related products (e.g. milk) accounted for 51.46 per cent of gross farm output; corresponding figures for other broad sectors were 27 per cent for arable crop production and 12 per cent for horticultural commodities. Agricultural employment in 1999, both employers and employees, amounted to 593,000. Farming accounted for 2.1 per cent of the country's total workforce in employment. Farm production in 1999 was equal to 81.6 per cent of the consumption of the types of food capable of being produced under British climatic conditions and 68.4 per cent of total food consumed. This shortfall in production from consumption means that the United Kingdom is a substantial net importer of food, animal feed and drinks. Imports in 1999 of £17.3 billion compared with exports of £8.7 billion leaving a net trade deficit in food, feed and drink of £8.55 billion.

The agri-food industry

11.16 The broad food and drink related industries downstream from the farm-gate dwarf the farm sector itself. In total the agri-food industry, including agriculture, contributed £56.6 billion to United Kingdom's GDP in 1998 (the latest year data is published), accounting for 7.6 per cent of GDP. Food and drink manufacturing contributed £18.6 billion to GDP, food and drink wholesaling and retailing £17.9 billion, and catering £12.4 billion (all figures for 1998). In addition, the agriculture supply industries sold goods and services to the value of £8.7 billion to farmers in 1999. The United Kingdom agri-food industry accounts for some 3.2 million jobs, over 11.7 per cent of total employment in 1999.

Food supply

11.17 The United Kingdom has an excellent food supply. A very wide variety of safe, wholesome, and nutritious foods are readily available throughout the year and throughout the country. Food has become relatively cheaper over the last 20 years to September 2000, its price having fallen by 22 per cent relative to the All-Items Retail Prices Index over this period.

Planning

11.18 Wherever possible, government planning policies, which are implemented through local plans, steer irreversible development away from important natural resources such as the best and most versatile agricultural land. They also reflect the importance of maintaining an efficient and flexible agricultural industry which can respond to market changes and contribute to achieving sustainable development.

FOOD SAFETY

United Kingdom

Objectives: production and safety

11.19 The United Kingdom Government is committed to ensuring the public benefit from "good quality food which meets consumer's requirements; modern sustainable competitive farming and fisheries businesses; and protection of the rural and marine environment and a thriving rural economy". This commitment is included in the published aims and objectives of the Ministry of Agriculture, Fisheries and Food (MAFF).

The Food Standards Act 1999

11.20 The Food Standards Act 1999 (a copy of which is appended at Appendix P) establishes the Food Standards Agency, provides for its functions and powers, and amends the law relating to food safety and other interests of consumers in relation to food. In establishing the Agency, the Government has strengthened the machinery for protecting public health and the interests of consumers and aims to sustain greater public confidence in food safety. The Agency - a new non-ministerial government department for the United Kingdom with executive offices in

Northern Ireland, Scotland and Wales - was established in April 2000. It is headed by an independent Chairman and Board reporting to Health Ministers and their devolved equivalents in Northern Ireland Scotland and Wales.

11.21 The Agency is the principal source of policy advice to Government on food safety and standards, including the need for and content of legislation, responsibility for which was previously shared by the Agriculture and Health Departments. It also has responsibility for representing the United Kingdom at working level in the European Union and other international fora, for public information and education on food matters, for commissioning research and surveillance and keeping abreast of scientific and other developments relevant to its remit, and for setting and monitoring standards for food law enforcement. The Food Standards Act empowers the Agency to take action wherever necessary in the food production and supply chain in order to protect public health. This includes powers to intervene directly or advise Ministers to intervene at the level of primary production and primary inputs, such as animal feedstuffs.

11.22 The Agency's executive powers include acting as the competent authority of the United Kingdom for assessing novel food applications, including applications for new genetically modified (GM) foods, in accordance with the requirements of the EU Novel Foods Regulations. Although it is important for the Agency to be at arms length from the Government, it does not operate in isolation from other departments and bodies with responsibility for protection of the public. In some areas of the Agency's work, such as nutrition policy, the Health, Agriculture and Environment Departments continue to have policy and statutory responsibilities. The working relationship between the Agency and these departments is set out in administrative agreements or "concordats" which clarify their respective boundaries.

11.23 The Agency is closely involved in the approval and review of pesticides and veterinary medicines from the point of view of food safety, although lead responsibility in these two areas remains with MAFF. It has in addition taken over the operation of the Meat Hygiene Service, which is responsible for enforcing fresh meat controls in licensed premises in England, Scotland and Wales. Dairy hygiene inspections are similarly the responsibility of the Agency. General enforcement of food hygiene and trading standards legislation, however, continues to be carried out by local authorities.

How the Agency will operate

11.24 A range of provisions are contained in the Food Standards Act to ensure that the Agency acts in a reasonable and balanced manner. In particular, it is required to take account of risks, costs and benefits before exercising any power and to take account of the views of the independent committees that advise it on matters within its scope. There are four of these: the Advisory Committee on Novel Foods and Processes; the Advisory Committee on the Microbiological Safety of Food; the Food Advisory Committee; and the Expert Group on Vitamins and Minerals. Another important feature of the new Agency's way of working is openness. The Food Standards Act provides the Agency with wide-ranging powers to publish information in the public interest including, if necessary, its policy advice to Ministers. This represents a significant guarantee of its independence from day-to-day ministerial control. On the other hand, the Agency's duty to make public the reasons for its major decisions and to consult wherever possible before acting is intended to ensure that it remains accountable to consumers and other interested parties. The Agency intends to publish a *Statement of General Objectives and Practices* which will set out the general framework for how it operates. It will also publish more detailed codes and statements on specific areas, such as openness and risk.

BSE information: Public Health

11.25 The control of bovine spongiform encephalopathy (BSE) continues to be a major food safety, as well as an animal health, issue for the United Kingdom. In dealing with BSE, the Government's first priority has been to protect public health. A number of measures have been put in place to do this and to restore consumer confidence in home produced meat and meat products:

- tissues which are known to, or might potentially, harbour detectable BSE infectivity in infected animals are banned from the human food chain. The original controls covered cattle only. However, with developing knowledge, these controls have been extended on a precautionary basis to include tissues from sheep and goats;
- meat from bovine animals over 30 months of age at slaughter may not be sold for human consumption;
- bones from bovine animals over six months of age may not be used in the manufacture of food products;
- abattoirs are frequently inspected by the State Veterinary Service and the Northern Ireland Veterinary Service to check that all controls are rigorously enforced.

The Food Standards Agency is also currently working on a public review of BSE controls which will take into account the conclusions of the BSE Inquiry Report which was published in October 2000. Controls on risk materials in the human food chain have also been adopted across the EU.

Scotland

Food Advisory Committee in Scotland

11.26 A new Scottish Food Advisory Committee will provide independent advice both to the Food Standards Agency and to Scottish Ministers on safety and standards which are particularly relevant to Scotland. Scottish Ministers will have powers of direction on food matters, including power to make emergency orders where there are threats to public health in relation to food.

NUTRITION

United Kingdom

Monitoring nutritional standards

11.27 The United Kingdom Government monitors the nutritional adequacy of the diet in Great Britain in two ways: the National Food Survey, which provides information about household purchases, and the National Diet and Nutrition Survey programme, which provides detailed information on the diets of individuals on a periodic basis. Both the National Food Survey and the National Diet and Nutrition Survey provide information on the adequacy of the British diet as a whole and in specific sub-groups. The National Food Survey (with an enhanced sample) was extended to Northern Ireland in 1996.

11.28 The continuous National Food Survey, which records the amounts and costs of foods obtained and their nutritional value in about 6,000 nationally representative households each year, is a source of information on population average dietary trends. Nutritional results are expressed as absolute intakes, and as a proportion of Dietary Reference Values. The latter takes account of the different requirements of household members, wastage of edible food, and food eaten outside the home. Results are broken down by region, household composition and income group of head of household. Large and detailed dietary surveys of individuals are also commissioned. In addition to the surveys noted in the Third Report, a survey of young people aged 4 to 18 years was published in June 2000. Fieldwork for the next survey, of adults aged 19 to 64 years, began in July 2000.

11.29 The National Diet and Nutrition Surveys collect quantitative information on food and nutrient intakes, physical measurements, a range of blood analyses, and socio-economic, demographic and lifestyle characteristics. In addition, urine analyses and an oral health survey are carried out in some groups. Each survey includes up to 2,000 individuals.

Hunger and malnutrition

11.30 There is no clear or accepted definition of malnutrition. It can mean both under nourishment as well as over nourishment. As was noted in the United Kingdom's response to the questions asked as part of the examination of the Third Report, evidence of hunger is limited. Low intakes of certain vitamins and minerals in some population groups, which was also addressed in the response, is of greater concern. However, the findings of the National Food Survey and the National Diet and Nutrition Survey show that, in general, nutrient intakes are adequate or more than adequate (see tables below).

TABLE
of
National average intakes (National Food Survey)

Nutrient	1993	1998	1998 (as % RNI)
Energy (kcal)	1 830	1 740	84 (% EAR)
Protein (g)	62.3	64.3	143
Calcium (mg)	810	800	118
Iron (mg)	9.9	9.8	95
Thiamin (mg)	1.25	1.36	163
Vitamin A (Tg)	1 120	780	126
Vitamin C (mg)	52	59	155
Fat (per cent food energy)	41.3	38.8	-

Source: National Food Survey.

TABLE
of
Average intakes in low income (non pensioner) households with no earner

Nutrient	1993	1998	1998 (as % RNI)
Energy (kcal)	1 820	1 800	87 (% EAR)
Protein (g)	60.6	65.3	147
Calcium (mg)	790	840	122
Iron (mg)	9.5	10.0	96
Thiamin (mg)	1.23	1.39	167
Vitamin A (Tg)	1 080	720	115
Vitamin C (mg)	44	52	133
Fat (per cent food energy)	40.9	37.9	-

Source: National Food Survey.

TABLE
of
Average intakes in large families
(2 adults with 4 or more children)

Nutrient	1993	1998	1998 (as % RNI)
Energy (kcal)	1 700	1 330	68 (% EAR)
Protein (g)	51.2	48.7	132
Calcium (mg)	700	660	100
Iron (mg)	8.4	7.8	76
Thiamin (mg)	1.09	1.05	135
Vitamin A (Tg)	700	520	91
Vitamin C (mg)	44	36	103
Fat (% food energy)	40.0	37.4	-

Source: National Food Survey.

Notes (for all tables):

^{1} Calculated intakes do not include any contributions from confectionery or soft and alcoholic drinks.

^{2} RNI - Reference Nutrient Intake (The RNI is considered to be sufficient to meet the nutritional needs of almost all of the specified population group. If average intakes in a group are at or above the reference nutrient intake the likelihood of deficiency in a group is small. As average intakes in a group fall below the RNI, there is an increasing possibility that some members of the group may be deficient. However, this needs to be confirmed by biological measures).

^{3} EAR - Estimated Average Requirement.

Programmes for improving diet and fitness

11.31 While nutrient intakes may be generally adequate, there is concern about the overall balance of the nation's diet (which generally contains too much fat and too little fruit and vegetables and starchy foods) and the continuing rise in the incidence of obesity. The various methods used by government departments and health agencies to disseminate knowledge of the principles of good nutrition were described in Third Report.[25] The United Kingdom has an extensive programme of research looking at the reasons for individuals' dietary choice and possible strategies for encouraging dietary change. But improved understanding of what constitutes a healthy diet does not automatically lead to dietary change, and persuading people to eat a more healthy diet is a major challenge. The Government's new health strategy for England, *Saving Lives: Our Healthier Nation*, emphasises the importance of eating a healthy balanced diet and keeping physically active which together help people to maintain a healthy body weight. This strategy highlights the need for concerted action at all levels to improve the nation's diet and to encourage more people to undertake regular physical activity. It also underlines the important role of nutrition and healthy weight management in reducing the risk of coronary heart disease and stroke, and some cancers.

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[25] Paragraphs 143-151 of the Third Report.

11.32 There are already a number of cross cutting government initiatives to help to prevent obesity and heart disease. For example, the Health Education Authority, funded through contracts with the Department of Health, ran the active life campaign in 1998 which specifically targeted women in the 16 to 24 age range. Providing safe cycling routes and safe walking routes to schools also combine to help encourage children and adults alike to be more physically active and maintain a healthy body weight. The Department of Health has made a considerable financial contribution to the British Broadcasting Corporation's *Fighting Fat, Fighting Fit* campaign. "Healthy Living Centres", funded with the National Lottery money, will promote, where communities choose it as a priority, dietary advice, physical activity programmes and exercise classes. Projects funded will reflect priorities set out in local health improvement programmes or other local health plans.

Scottish Diet Action Plan

11.33 In 1996 a *Diet Action Plan* was published for Scotland which is designed to initiate action amongst many interests in Scotland, including the farming community, producers, retailers, schools and local authorities.

Nutrition of schoolchildren

11.34 There are a number of Government initiatives aimed at improving the nutrition of schoolchildren and their awareness of healthy eating. These include healthy schools initiatives, such as *Cooking for Kids*, which aim to teach children basic cooking and food preparation skills, facts about nutrition and food hygiene during the school holidays; funding of a series of resource packs linked to the National Curriculum; the development of breakfast clubs; and research to establish practical ways of encouraging children to eat fruit and vegetables.

Welsh schemes

11.35 Healthy eating is a key theme of the *Welsh Network of Healthy School Schemes*, a programme which is supported by the National Assembly for Wales. The Health Promotion Division of the Assembly is developing a web resource for primary schools which will focus on nutrition issues in the first instance. The Health Promotion Division is also collaborating with the University of Bristol on a MAFF funded research project designed to measure the impact of fruit tuck shops on the fruit and snack consumption of pupils in primary schools in the South West of England and South Wales.

Access to shops

11.36 It is, however, recognized that some communities find it difficult to have access to those foods which make up a healthy and balanced diet. Some deprived neighbourhoods, for example, are characterized by the lack of easy access to shops that sell goods, including food, at reasonable prices. One of the Government's Social Exclusion Unit's policy action teams on neighbourhood renewal has been looking at ways of improving access to shopping in these areas: see further the paragraph "Social exclusion and unpopular housing" below.

MEASURES RELATING TO WORLD FOOD SUPPLIES

United Kingdom

Common Agricultural Policy

11.37 The final outcome of the Agenda 2000 Common Agricultural Policy (CAP) reforms has taken United Kingdom (and EU) agriculture significantly closer to securing a competitive and sustainable industry with a stronger market orientation. However, the reforms did not go as far as was hoped. The Government will continue to press for further reforms which are needed to prepare for the enlargement of the EU and greater liberalization of world trade.

11.38 As a result of the reductions in price support for beef, cereals, dairy products and other related products, it is estimated that the deal will reduce the cost of the CAP to United Kingdom consumers by around £1 billion per year once the reforms are fully implemented, and provided the reductions are passed through to the retail sector in full. This equates to a reduction of the annual food bill of £65 for the average family of four. The overall benefit to the United Kingdom economy is expected to reach almost £0.5 billion.

Uruguay Round

11.39 The constraints introduced as a result of the GATT Uruguay round agreement on agriculture have also helped in achieving these aims by providing a framework which puts pressure on the CAP for further development in the direction of greater market orientation. More generally, the Uruguay round settlement has led to a world-wide liberalization of trade in agricultural products through reductions in tariffs, export subsidies and production related domestic support. In spite of the failure in Seattle to launch a new round of negotiations under the World Trade Organization, negotiations to continue the process of agricultural trade liberalization have now started as mandated by the Uruguay Round agreement. The impact of the last agreement is currently hard to judge, since the implementation period is still underway, but it is expected that world food prices will show some relative increases as a result of liberalization. In the longer term, particularly if reinforced by further liberalization in the forthcoming negotiations, this should increase market driven incentives to farmers, encouraging developing countries to increase local production, which should reduce their dependence on imported foods and help to raise rural incomes.

DRINKING WATER

England and Wales

Supplies and standards

11.40 In England and Wales there has been a long standing duty on statutory water undertakers to maintain wholesome water supplies. The current law is the consolidated Water Industry

Act 1991 which maintains the duty on statutory water undertakers to provide wholesome water supplies and gives the Secretary of State and the National Assembly for Wales the power to make regulations for securing the wholesomeness of water supplies. "Wholesomeness" is defined by reference to the standards of the EU Directive on the Quality of Water Intended for Human Consumption (80/778/EEC) and a number of national standards. Some of the standards are applied more strictly (e.g. for lead) than required by the Directive. The Regulations also prescribe the monitoring that statutory water undertakers must carry out to check whether supplies are wholesome. A new EU Directive on the Quality of Water Intended for Human Consumption (98183/EC) came into force on 25 December 1998 and will require the making of new regulations. Most of the standards in the new Directive have to be met by 25 December 2003. The exception is lead for which an interim standard of 25 ug/1 will apply from 25 December 2003 and a final standard of 10 ug/1 from 25 December 2013.

The quality of water

11.41 Although the quality of water was high in 1989, the statutory water undertakers did not meet some of the new legal standards. The water undertakers gave the Secretary of State legally binding undertakings to carry out the necessary improvements. Most of this work was carried out by 1996, but some improvements to the distribution systems of some water undertakers will not be completed until 2010. Between 1989 and 1998 water undertakers have spent approximately £4 billion on improving the quality of drinking water.

11.42 Drinking water quality has improved considerably since 1990. In 1998, 99.82 per cent of around 2.8 million tests met the standards with 5,148 tests failing the standards. This compares with 1990 when 99.0 per cent of around 3.3 million tests met the standards with 32,472 tests failing the standards. Each statutory water undertaker is required to maintain a public record of the quality of water it supplies which contains information about the action being taken in respect of any failures. These records are available to the public.

Enforcement of standards by authorities

11.43 The Drinking Water Inspectorate was established in 1990. Its main function is to audit and inspect the statutory water undertakers in England and Wales to check that they are complying with the standards and other regulatory provisions and to require undertakers to make improvements when there has been a failure to comply. The Chief Drinking Water Inspector publishes an annual report giving comprehensive details of the quality of water supplied by each water undertaker and a summary of the quality of water in England and Wales. An annual report (for 1999) on a Wales only basis was published for the first time in July 2000. A copy of the 1998 drinking water report is at Appendix Q.

Assurance of supplies to poor households

11.44 The Water Industry Act 1999 removes the threat of disconnection from all domestic households, including those which have difficulty in paying their water bills. It also provides for a special tariff for people on low income who use high levels of water either because they have a large family or because they suffer from a specified medical condition.

Northern Ireland

Standards and reports

11.45 In 1998, in Northern Ireland, 89.86 per cent of some 108,000 tests complied with the regulatory standards. The Northern Ireland Drinking Water Inspectorate publishes an annual report summarising drinking water quality.

Scotland

Supplies and standards

11.46 In Scotland the duties of statutory water undertakers to maintain wholesome water supplies, are similar to those outlined in paragraph 11.40 above. The current law is the Water (Scotland) Act 1980, as amended, which maintains the duty on water authorities to provide wholesome water supplies and gives the Scottish Minister the power to make regulations for securing its wholesomeness. The standards, including the EU requirements, are the same as in England and Wales.

The quality of water

11.47 The monitoring of water supplies showed that the quality of drinking water was generally good, but that there were also many shortcomings particularly for small rural supplies. In order to achieve compliance, the former regional councils gave the Secretary of State legally binding undertakings to carry out the necessary improvements. The three water authorities established in 1996 took over these improvement programmes and extended them to include all the requirements of the new Drinking Water Directive. It is expected that improvements to water treatment will be complete by 2006. Improvements to the distribution systems of water authorities will continue until 2015.

11.48 Drinking water quality has improved considerably since 1990. In 1998, 98.34 per cent of around 180,000 tests met the standards with 2,994 tests failing the standards. This compares with 1991 when 98.02 per cent of around 227,000 tests met the standards with 4,490 tests failing the standards. In all cases where a failure occurred which was considered to be a risk to health, emergency measures were implemented to protect public health. Each statutory water undertaker is required to maintain a public record of the quality of water it supplies which contains information about the action being taken in respect of any failures. These records are available to the public.

Enforcement of standards

11.49 The Water Services Unit of the Scottish Executive Environment Group monitors and enforces the standards set in the regulations. Its main function is to audit and inspect the three Scottish water authorities to check that they are complying with the standards and other regulatory provisions and to require them to make improvements when there has been a failure to comply. The Unit publishes an annual report giving comprehensive details of the quality of water supplied by each water authority and a summary of the quality of drinking water in Scotland.

Assurance of supplies to poor households

11.50 The Water (Scotland) Act 1980 does not permit disconnection from households which have difficulty in paying their water bills.

WORLD FOOD SUPPORT

Development assistance and food aid

11.51 The United Kingdom is a major contributor to international development assistance aimed at reducing hunger and meeting the target set by the World Food Summit of reducing the number of undernourished people to half their present level by no later than 2015. The contribution is made both bilaterally and through a number of international organizations. The United Kingdom has been a signatory of the Food Aid Convention, which is renewed periodically, since 1967 and ratified the latest convention in June this year. The principal objective of this Convention is to maintain minimum flows of food aid to developing countries. The latest convention focuses on qualitative as well as quantitative aspects of food aid and includes a code of conduct on how food aid might be used.

HOUSING

United Kingdom

Responsibility for land use and housing

11.52 Responsibility for land use and housing planning and environmental protection[26] is shared between the relevant central authority (the Secretary of State for the Environment, Transport and the Regions for England, the Northern Ireland Department of the Environment (DOENI), the Scottish Parliament or the National Assembly for Wales) and the local authority. In England, Scotland and Wales statutory development plans for the use and development of land are adopted by local authorities on the basis of guidance from the central authorities; in Northern Ireland, DOENI is responsible for preparing development plans.

Public expenditure on housing

11.53 Public expenditure on housing (exclusive of mortgage interest tax relief) in the United Kingdom (central government and local government) in 1998/99 constituted 4.64 per cent of general government expenditure and 2 per cent of GNP. £5,565 million was attributable to housing in England, £220 million to housing in Northern Ireland, £464 million to housing in Scotland and £467.1 million to housing in Wales. Planned expenditure for 2001/02 in England is £6,685 million, in Northern Ireland £606.8 million, in Scotland £616 million and in Wales £484 million.

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[26] See also paragraph 160 of the Third Report.

HOUSING: TENURE AND ALLOCATION

England and Wales

The housing stock

11.54 There are approximately 20.8 million housing units in England and 1.26 million in Wales. Of these, some 69 per cent are owner occupier homes and the remainder are rented. Programmes for a *Right to Buy* were introduced in 1980 for the sale of rented dwellings at a discount to well established council tenants, the discount increasing in rough proportion to the years the tenants have been paying rent. These programmes significantly increased the number of owner occupied homes. By the end of 1998, 2.3 million council, housing association and New Town corporation houses were sold to owner occupiers in Great Britain (1.3 million of them in England). A high proportion of owner occupied houses, whether privately constructed or obtained through such programmes, are acquired by taking out a mortgage.

11.55 The great majority of new dwellings are built by the private sector and are sold to owner occupiers. The private renting sector, represented by 10 per cent of dwellings, has also been encouraged under the Housing Act 1996 which introduced an assured short hold tenancy. (Housing Benefit under the Housing Benefit (General) Regulations 1987 - as amended - is available to enable those on low incomes to afford the rent of privately rented property.) But approximately a fifth of all housing units comprise social housing which is rented to tenants by local authorities or registered social landlords (RSLs) which provide low cost housing for rent or sale to people on low income or in particular housing need. In England, local authorities have a stock of about 3.4 million housing units and RSLs some 1 million homes including 165,000 units of sheltered accommodation and 32,000 of supported housing. In Wales, 197,000 dwellings were rented from local authorities and 52,000 dwellings from RSLs. Just under a quarter of all households live in social rented housing provided at affordable rents below market levels, with additional help provided through Housing Benefit to those on the lowest incomes.

TABLE
of
Tenure by number of households and number of persons

England 1998/99		
Housing tenure	Households thousands	Persons thousands
Owner occupied	14 027	34 537
Private rented	2 044	4 415
Social rented	4 352	9 753
All tenures	20 423	48 705

Assistance to buy homes

11.56 The Government provides a range of schemes to help people buy their own homes. These include:

- the *Right to Buy* (referred to above), which enables council and housing association tenants to buy their homes at discounts of up to 70 per cent below market value. Since 1980 over 1,700,000 people in Great Britain have done so and discounts are worth up to £38,000 per buyer;

- a range of other home ownership schemes including *Shared Ownership* (those who cannot afford to buy outright can buy a share and pay rent on the remaining share) and *Homebuy* (an interest-free loan of 25 per cent of the value of the property in England and 30 per cent in Wales).

Assistance to keep owned homes

11.57 The Government helps people remain home owners if they get into financial difficulty. Help for housing costs for owner occupiers is currently paid providing support for mortgage interest (the Income Support of Mortgage Interest Scheme - ISMI). This is available to those in receipt of Income Support or income based Job Seekers Allowance. (No help is available through the benefit system for owner occupiers in work.) At present ISMI is paid to 322,000 claimants at an annual cost of £650 million. Some households face particularly heavy mortgages. Figures are monitored and surveys suggest that 5 per cent of households (500,000 families) are paying more then 35 per cent of their incomes, after tax, in mortgage payments.

Assistance in buy-back of owned homes

11.58 The Government has recently introduced two schemes to assist people who are unable to remain as home owners due to financial difficulties. These are a financial incentive to councils to buy back former council homes and the *Flexible Tenure* scheme under which shared ownership buyers are enabled not only to buy an extra share of their home, but to sell it back to their housing association.

The home buying process

11.59 On 11 October 1999, the Government announced its intention to introduce a package of measures aimed at speeding up and improving the home buying and selling process. The package is based on a detailed survey and consultation exercise and studies of experience in other countries. The main proposal is a requirement that, before putting a home on the market, the seller or seller's agent should put together a pack of standard documents and information for prospective buyers. This should include copies of title documents, replies to standard buyers' preliminary enquiries, replies to local searches, copies of planning and other consents, copies of warranties and guarantees, a home condition report and a draft contract. The proposal will require a change to the law and Ministers have announced their intention to introduce legislation at the earliest possible opportunity. In addition, the Government wants buyers to be better prepared and will be encouraging the wider use of "in principle" mortgage offers. This would involve faster mortgage offers and local authority searches and service providers adopting service targets on these. Mortgage lenders would also be asked to provide title deeds within five working days of request and to examine the scope for "chain-breaking" loans. Finally, all the professions and other bodies involved in the home buying and selling process would be encouraged to make better use of advances in information technology to speed up the process.

Private lettings

11.60 In the private sector, most lettings since 1989 are, in accordance with the Housing Act 1988 and the Housing Act 1996, at market rents, and landlords are free to set the market rent. However, assured tenants have limited rights to refer excessive rents to the Rent Assessment Committees for a review. Most pre-1989 private tenants have the right under the Rent Act 1997 to have a fair rent registered by the rent officer every two years and a right to appeal to a Rent Assessment Committee against the rent set by a rent officer. The rent officer is required by the legislation to determine a fair rent and fair rents are generally lower than the market rents because, under the Rent Act 1977, the rent officer has to disregard any element of the market rent due to scarcity. Changes were made to the way in which rent officers calculate fair rents in February 1999. In addition to determining a fair rent, the rent officer must also calculate the maximum fair rent for the property. The lower of the two figures is the maximum amount which can be charged until the next rent registration, which is usually two years later. The maximum fair rent is based on a formula linked to the Retail Price Index, with an additional uplift factor of 7.5 per cent for the first registration after February 1999 and 5 per cent for subsequent registrations thereafter.

Security of tenure and protection from eviction of private tenants

11.61 Security of tenure for tenants under private lettings is described in the Third Report.[27] As stated in that Report, a landlord cannot normally enforce his right to get his property back from a residential tenant, or in many cases a licensee, without an order of a court. Under the Eviction Protection Act 1977, as amended by the Housing Act 1988, it is an offence to interfere with the peace or comfort of a tenant or anyone living with him, or persistently to withdraw or withhold services for which the tenant has a reasonable need in order to live in the premises as a home. A person who is convicted of an offence under the Act is liable to a maximum fine of £2,000 or imprisonment for up to six months or both if convicted in a magistrates court, or to a fine or imprisonment for up to two years or both if sentenced by the Crown Court. The table below shows the number of possession orders granted by the courts to private landlords in England and Wales during the last five years. The court may suspend the operation of an order. Where this is done the order cannot be enforced if the tenant complies with the terms of the suspension.

TABLE
of
possession orders for private landlords in England and Wales

Year	Actions entered	Orders made	Suspended orders
1994	17 687	8 258	5 553
1995	19 358	8 833	6 785
1996	20 284	8 970	8 296
1997	22 302	8 495	8 881
1998	22 460	8 586	8 753

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[27] See paragraphs 179-184.

Compensation for property compulsorily acquired

11.62 Compensation is payable at open market value for housing compulsorily acquired for a public purpose. The Housing Grants, Construction and Regeneration Act 1996 introduced relocation grants to help residential occupiers displaced from clearance areas under the Housing Act 1985 find alternative accommodation nearby. The Government has instituted a fundamental review of the laws and procedures relating to compulsory purchase and compensation with a view to ensuring that the system is "efficient, effective and fairer to all parties". The review is looking, amongst other things, at the principle of equivalence in compensation law, which provides that owners of land which is acquired by compulsion should be left neither better nor worse off, as far as money can achieve this, than if the compulsory purchase had not taken place. The review is also looking at improving the procedures for making a compulsory purchase order which presently can appear unnecessarily bureaucratic and time consuming. The Government plans to consult on proposals for changes to the law during 2000, with legislation as soon as a suitable opportunity arises.

Affordability of housing and rents

11.63 There is no legislation which directly relates to housing affordability, and no government-set limits on affordability as a ratio of income or otherwise. An increasing amount of rents are now set at market levels. However, rents in the social rented sector are subsidized to keep them affordable and Housing Benefit is available to help those in need, such as the low paid, who cannot afford market rents. Nonetheless, the United Kingdom Government is committed to promoting stability in the housing market. The result of granting the Bank of England operational independence in setting interest rates, and of adopting a new fiscal framework with rules for government expenditure and borrowing, should be to reduce volatility in output and inflation. Given that the housing market tends to mirror the wider economy, the new macro-economics framework can help to deliver sustainable growth in house prices. Further, credible macro-economics policy, by reducing inflationary expectations and removing inflationary bias, can deliver low interest rates which will keep the proportion of mortgage payments to disposable household income low. The Government's commitment to a fair deal for consumers, including households, involves keeping a watchful eye on the mortgage market to ensure that open competition delivers lower mortgage payments for households.

Access to social housing on long term tenancies

11.64 Access to social housing provided by local authorities is governed by Parts VI and VII of the Housing Act 1996, which replaced the relevant provisions of the Housing Act 1985 (mentioned in paragraphs 163 and 187 to 188 of the Third Report). The Housing Corporation and the National Assembly for Wales require RSLs to allocate their housing according to similar criteria. Part VI of the 1996 Act governs the allocation by local housing authorities of long term tenancies to new applicants. This includes allocating secure tenancies in their own housing stock and nominating applicants for assured tenancies in a proportion of stock held by RSLs. Regulations prescribe the categories of person who do, or do not, qualify for allocation of long term tenancies. For example, persons subject to immigration control do not qualify unless they have refugee status or indefinite or exceptional leave to remain in the United Kingdom. Other persons from abroad, including some British nationals returning to the United Kingdom, may not qualify if they are not habitually resident in the Common Travel Area (i.e. the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland). Subject to those regulations, local authorities have a discretion to decide which categories of persons are, or are not, qualifying persons. Authorities may, for example, exclude from their registers people who have not been resident within their districts for a specified minimum period, or people who have in the past been evicted from council accommodation for anti-social behaviour. Local housing authorities are required to establish and maintain a housing register of applicants who qualify for the allocation of long term social tenancies and, with limited exceptions (for example, existing tenants), an authority must allocate all long term social tenancies within its gift to people on the register.

Priorities for allocation of long term social housing

11.65 Local authorities are also required to have a published allocation scheme which sets out their priorities and procedures for allocating social housing. The scheme must give "reasonable preference" to certain categories of households i.e. people occupying unsanitary, overcrowded or unsatisfactory housing; people occupying housing on temporary or insecure terms; households which include dependent children or a pregnant woman; people who need settled housing on medical or welfare grounds; people who would have difficulty in securing such accommodation because of their social or economic circumstances; and people have been accepted as unintentionally homeless and in priority need.

Best value and tenant participation

11.66 From April 2000, Part I of the Local Government Act 1999 imposes a new statutory duty on local authorities requiring them to make arrangements to secure continuous improvements in the way in which they exercise their functions, including their housing functions, having regard to a combination of economy, efficiency and effectiveness. Their performance will be subject to scrutiny through strengthened audit and inspection arrangements. There will be a new Housing Inspectorate within the Audit Commission as part of a wider Best Value Inspectorate. A Best Value in Housing Framework document was published in December 1999 which sets out guidance on issues local housing authorities need to consider in exercising their housing functions.

11.67 The Government wishes to ensure that local authority tenants have a proper say in the way their homes are managed. It has therefore proposed that local authorities and tenants introduce compacts - local written agreements - setting out how tenants will be involved in decisions by the local authority on housing issues in ways which meet their needs and priorities. A *National Framework for Tenant Participation Compacts* was published in June 1999, which sets out the core standards to be incorporated in compacts. Local authorities are expected to implement compacts from April 2000 and to report each year on how well they have operated. Their performance will be scrutinized under Best Value criteria.

Security of tenure of tenants in social housing

11.68 Most local authority tenants and tenants of RSLs whose tenancies existed before the Housing Act 1988 have "secure" tenancies. RSL tenants whose tenancies began after the 1988

Act have similar rights under "assured tenancies" which are granted on a contractual (rather than legislative) basis. Tenants of local housing authorities and of RSLs can only be evicted by their landlords following a court order obtained under the relevant housing legislation (for local housing authorities and "secure" tenancies of RSLs, the Housing Act 1985, as amended by the Housing Act 1996; for "assured tenancies" granted by RSLs, the Housing Act 1988, as amended by the 1996 Act). The reasons for eviction may include: arrears of rent, damage to property, or nuisance either by the tenant, his lodgers or visitors to his property. Tenants have both rights and responsibilities and the Government's view is that these should be set out clearly in tenancy agreements so that the tenant is in no doubt about what he should expect from his landlord and what his landlord will expect from him. The Government is keen to ensure that social landlords have appropriate measures to deal effectively with tenants who cause problems to their neighbours, or who otherwise do not fulfil the responsibilities set out in their tenancy agreement. But the Government has also made it clear to social landlords that eviction should be regarded as a last resort after other, preventive, measures have failed to bring about an improvement in the tenant's behaviour. Such measures may include mediation to reduce the likelihood of neighbour disputes escalating; seeking an agreement with a tenant in arrears with his rent for repayment of manageable sums of arrears over an agreed period of time; and, for serious cases of nuisance, injunctions aimed at preventing further nuisance or anti-social behaviour whilst allowing the tenant to remain on the property.

Housing assistance for the homeless

11.69 Part VII of the Housing Act 1996 imposes certain duties on local housing authorities towards people who are homeless or threatened with homelessness. Authorities must ensure that advice and information about homelessness and the prevention of homelessness is available to everyone in its district, free of charge. A range of other duties are prescribed; the particular duty owed to eligible persons will depend on his or her circumstances and on the housing situation in the area. As with qualification for the housing register, the Government prescribes certain categories of person who are, or are not, eligible for homelessness assistance under Part VII. The categories who are not eligible for homelessness assistance are broadly the same as those who do not qualify for inclusion in the housing register.

Interim assistance for the homeless

11.70 As an interim measure, authorities must secure suitable accommodation for an applicant immediately if they have reason to believe that he or she may be homeless, eligible for assistance and in a priority need group. The priority need groups include households with dependent children, a pregnant woman or a vulnerable person (for example, someone with a physical or mental disability), and persons who are homeless due to an emergency such as a flood or fire. This interim duty ends when the authority has completed its enquiries and decided what substantive duty, if any, is owed to the individual concerned.

Substantive assistance for the homeless

11.71 In processing applications for assistance, the first factor an authority must consider is whether the applicant is homeless or threatened with homelessness. A person is homeless in law if there is no accommodation he is legally entitled to occupy and which it is reasonable for him to occupy. (A person is threatened with homelessness if he or she is likely to become homeless within 28 days.) The second factor is whether the applicant is intentionally homeless, i.e. homeless due to a deliberate act or omission on his or her part. Finally, an authority must consider whether the applicant falls within a priority need group. If:

- an authority is satisfied that an applicant is unintentionally homeless and in priority need, it must either help the applicant to obtain for himself accommodation which is available in the district or, if this is unavailable, the authority must itself secure accommodation for the applicant. In either case, accommodation must be suitable for the applicant's household and available for two years. The two-year duty can recur if the household's circumstances have not improved at the end of the two-year period;

- an applicant is intentionally homeless but in priority need, he must be provided with accommodation by the authority for a reasonable period, to allow him an opportunity to find accommodation for himself;

- an applicant is intentionally homeless and does not fall within a priority need group, he must be provided with advice and assistance by the authority in any attempts he makes to find his own housing.

All applicants accepted as unintentionally homeless are entitled to be included on the housing register of the authority to whom they applied for assistance.

Review of homelessness legislation

11.72 The Government is currently reviewing the homelessness legislation with a view to improving the protection available for unintentionally homeless people in priority need by ensuring that housing solutions are sustainable and by encouraging local authorities to have more comprehensive programmes to prevent and tackle homelessness in their districts.

Vulnerable and disadvantaged groups: discrimination

11.73 The Government and the Housing Corporation (which regulates the RSL sector in England) and the National Assembly for Wales (which regulates the RSL sector in Wales) are committed to eliminating unlawful discrimination in the allocation of social housing. The Race Relations Act 1976 makes it unlawful to discriminate on grounds of race in the disposal (including the right to occupy) or management of premises and the Disability Discrimination Act 1995 makes it unlawful for a person with power to dispose of any premises to discriminate against a disabled person. The Housing Corporation and the National Assembly expect RSLs to ensure their housing services are delivered fairly and without discrimination. RSLs are expected to comply with the Code of Practice in the field of housing published by the Commission for Racial Equality. Under the terms of the Corporation's Performance Standards and the National Assembly's Regulatory Requirements, RSLs should have a written equal opportunities policy, and should keep and monitor records of the ethnic origin of applicants for accommodation and those granted tenancies. Information on lettings by RSLs to black and ethnic minority applicants is collected on a national basis in England. The Corporation and the National Assembly expect lettings to reflect the minority ethnic make up of the area in which RSLs are working.[28]

Disabled people

11.74 The 1999 Housing Investment Programme Guidance Note encourages English local authorities, in preparing their housing strategies and planning services, to draw on the guidance in *More Scope for Fair Housing: a good practice guide to the provision of housing and support - putting disabled people at the centre, creating sustainable environments and achieving Best Value* prepared by the Charity SCOPE; a copy of the guidance is at Appendix R. Local authorities are encouraged to examine critically how well their housing strategies are providing for the specific needs of people with physical disabilities for accessible housing, and to consider the range of options for improving authorities' responses to people's needs - including new development, adaptation of existing housing and making better use of existing accessible housing.

Grants for vulnerable households and disabled people

11.75 Since 1996, grants and other assistance for the renewal of private sector housing have been at the discretion of local authorities. The Government encourages local authorities to target help on the most vulnerable individuals and in areas with the highest concentration of poor housing. From April 2000, resources for private sector renewal will be included in wider capital allocations for housing. Expenditure on mandatory disabled facility grants, which help sick and disabled people remain in safety and comfort in their own homes, is due to be increased by 25 per cent between 1999/00 and 2001/02.

Support services

11.76 It is proposed to introduce a new integrated policy and funding framework for support services - *Supporting People* - from April 2003. *Supporting People* will provide support services which aim to sustain people in the community and enable them to make their own decisions and live their own lives. A central aspect of the proposals is to encourage joint working between housing and social services authorities in order to ensure a more user-focused approach to providing support services for vulnerable people. Some examples of groups whose needs will be addressed by the new policy include those who are homeless or sleeping rough, those with learning disabilities, victims of domestic violence, and those who are frail due to age, who are chronically ill or who have mental health problems. In Wales, the responsibility for implementing *Supporting People* lies with the National Assembly.

Housing for asylum seekers

11.77 Under the Immigration and Asylum Act 1999, the Home Office has established a new National Asylum Support service which assumed responsibility for providing support and accommodation for destitute asylum seekers from 3 April 2000. Support will be provided principally in kind and where accommodation is provided it will be on a "no choice" basis. Asylum seekers will be dispersed throughout the United Kingdom, permitting dispersal from hard pressed local authorities to authorities in other areas where the pressure on accommodation is less. The Interim Support Regulations provide that a local authority may transfer a claim for support made on them, or responsibility for providing support, to another local authority by mutual consent.

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[28] For further information relating to housing policy in respect of ethnic minority communities see paragraphs 278 - 285 of the 1999 CERD Report.

Increased resources for housing

11.78 The Government is substantially increasing the resources available for investment in housing in England. Over the period 1997/98 to 2001/02 an additional £5 billion has been added to the previous expenditure plans; the total resources allocated in 2001/02 will be more than twice the 1997/98 figure. In Wales, the expenditure in 2001/02 will be increased by £16.9 million to £484 million. Most of the additional resources are going to local authorities, primarily to enable them to tackle the backlog of renovation work in their housing stock. The Government is also working with local authorities to reduce the backlog of council house repairs by at least 250,000 dwellings. An extra 1.5 million council houses stand to benefit from the extra resources over the period 1999 to 2002. Local authorities are also able to use these new resources to provide additional social housing where this best meets local needs. About 50,000 new social lettings were created during 1998/99.

Green Paper

11.79 On 4 April 2000 the Government published a consultative Housing Green Paper aimed at ensuring that everyone has the opportunity to acquire a decent home. The Green Paper is intended to build on achievements to date and the reforms which have been implemented or set in train for the rented and owner occupied sectors. A copy of the Green Paper is annexed as Appendix S.

Northern Ireland

The housing stock

11.80 There are approximately 626,000 housing units in Northern Ireland. Of these, some 71 per cent are owner occupied and the remainder are rented. Programmes for the purchase of rented dwellings at a discount by tenants of the Northern Ireland Housing Executive (begun in 1979 and placed on a statutory footing by the Housing (Northern Ireland) Order 1992), shared ownership and home loans have significantly increased the number of owner occupied housing units. By the end of 1998, almost 80,000 Housing Executive houses were sold to occupiers. A high proportion of owner occupier houses, whether privately constructed or obtained through the house sales scheme, are acquired by taking out a mortgage.

11.81 The great majority of new dwellings are built by the private sector and are sold to owner occupiers. The private renting sector represents only 4.2 per cent of dwellings. (Housing Benefit under the Housing Benefit (General) Regulations (Northern Ireland) 1987 - as amended - is available to enable those on low incomes to afford the rent of privately rented property.)

11.82 Approximately a quarter of all housing units (occupied by more than a quarter of all households) comprise social housing which is rented to tenants by the Housing Executive or registered housing associations which provide low cost housing for rent to people on low income or in particular housing need. The Housing Executive has a stock of more than 130,000 housing units and registered housing associations some 21,000 homes.

Assistance to buy homes

11.83 The Government provides a range of schemes to help people buy their own homes. These include:

- the *House Sales Scheme*, which enables Housing Executive tenants to buy their home at discounts of up to 70 per cent of market value. Since 1979 almost 80,000 people in Northern Ireland have done so;

- the *Voluntary House Sales Scheme*, under which registered housing associations sold some 219 houses to their tenants between April 1993 and March 1998 on the same terms as those available to Housing Executive tenants;

- the *Voluntary Purchase Grant Scheme* to compensate registered housing associations for the voluntary sale of their houses to tenants at a discount. 37 claims have already been made since the Scheme was introduced in 1998;

- the *Shared Ownership Scheme* operated by the Northern Ireland Co-Ownership Housing Association. This "do-it-yourself" part buy, part rent scheme has allowed 15,000 participants, who might otherwise have had to remain in rented accommodation, to become home owners;

- the *Home Loans Scheme* operated by the Housing Executive to provide loans in respect of properties which do not qualify for private sector mortgages.

The home buying process

11.84 The Department of the Environment (Northern Ireland) (DOENI), in conjunction with the Housing Executive, has supported and assisted the General Consumer Council for Northern Ireland in researching the entire house-buying process. This led to the publication in 1999 of a consultation document *Homing in on Buying a House*. The Council is presently analysing responses to the document. The Council is expected to submit recommendations before the end of the year.

Private lettings

11.85 In the private sector, there are two types of lettings, i.e. those that are controlled by the Rent Order 1978 and those that are not. Within the controlled sector, there are three types of tenancy, i.e. restricted, regulated and protected short hold. A Rent Officer and Rent Assessment Panel are appointed by Northern Ireland's Department for Social Development (DSD) to set rents, which are normally lower than market level, and to consider rent appeals in the controlled sector. The majority of tenancies are uncontrolled. In the uncontrolled sector, rents are dictated by the open market.

Security of tenure and protection from eviction of private tenants

11.86 Within the controlled sector, all tenants have significant rights with regard to security of tenure. In the uncontrolled sector, security and terms of tenure are determined by the tenancy agreement, but tenants are, by law, entitled to a rent book and four weeks notice to quit. The Rent (Northern Ireland) Order 1979 also provides remedies for harassment and illegal eviction.

Compensation for property compulsorily acquired

11.87 Compensation is payable under the Housing (Northern Ireland) Order 1992 in respect of clearance orders, demolition orders and closing orders. Under the Land Compensation (Northern Ireland) Order 1982, compensation is payable for housing compulsorily acquired for a public purpose.

Access to social housing on long term tenancies

11.88 Access to social housing provided by the Housing Executive is governed by Article 22 f the Housing (Northern Ireland) Order 1981 which requires the Executive to comply with a house allocation scheme approved by DSD. A *common selection scheme* and waiting list were introduced in June 1997 for all mainstream general needs accommodation and other specified properties let by social landlords. It is planned to extend the scheme to the allocation of all social housing (both general and special needs) from November 2000, irrespective of which social landlord owns the property or its design. The common selection scheme requires applicants to have a "substantial connection" with Northern Ireland and, by virtue of the Immigration and Asylum Act 1999, the Housing Executive is required to ensure that tenancies or licences of its accommodation are not allocated to persons subject to immigration control unless they have refugee status or indefinite or exceptional leave to remain in the United Kingdom.

Priorities for allocation of long term social housing

11.89 The *common selection scheme* for the allocation of Housing Executive and registered housing association tenancies, which is available in published form, sets out the process by which applicants are ranked on a waiting list on a basis of points according to housing need. Points are allocated on the basis of intimidation, insecurity of tenure, housing conditions and health and social well being.

Housing assistance for the homeless

11.90 Part II of the Housing (Northern Ireland) Order 1988 imposes duties on the Housing Executive towards people who are homeless or threatened with homelessness. A range of duties are prescribed; the particular duty owed will depend on the person's circumstances.

Interim assistance for the homeless

11.91 The duty of the Housing Executive to secure that housing is made available for an applicant immediately if it has reason to believe that he or she may be homeless and in a priority need group is similar to that of local authorities in England. The priority need groups include households with dependent children, households containing a pregnant woman or a vulnerable person (for example, someone with a physical or mental disability), persons who are homeless due to an emergency such as a flood or a fire, and also victims of violence who are at risk of further violence and young persons who are at risk of sexual or financial exploitation.

Substantive assistance for the homeless

11.92 In processing applications for longer term assistance, the Housing Executive must consider whether the applicant is homeless or threatened with homelessness, whether or not the applicant is intentionally homeless i.e. homeless due to a deliberate act or omission on his or her part, and whether the applicant falls within a priority need group. If:

- the Housing Executive is satisfied that an applicant is unintentionally homeless and in priority need, it must secure accommodation for the applicant. Normally, this will be a secure tenancy in the Executive's own housing stock or housing stock belonging to a registered housing association;

- an applicant is intentionally homeless but in priority need, he must be provided with accommodation by the Executive for a reasonable period to allow him an opportunity to find accommodation for himself, and provided with advice and assistance in order to enable him to find such accommodation;

- an applicant is homeless (whether intentionally or not) and does not fall within a priority need group, he must be provided with advice and assistance in order to enable him to find accommodation for himself.

Security of tenure of tenants in social housing

11.93 Tenants of the Housing Executive and of registered housing associations enjoy security of tenure and may only be evicted for the reasons set out in the Housing (Northern Ireland) Order 1983 (as amended) and following a court order. The reasons are:

- non-payment of rent or breach of tenancy agreement;

- anti-social behaviour;

- neglect or waste causing deterioration of the property;

- ill-treatment of furniture;

- tenancy obtained by false statement;

- tenancy assigned on payment of premium;
- property made available on a temporary basis pending completion of works to tenant's principal home;
- property required for demolition or other works;
- specially adapted property required for occupation by disabled person;
- property required for occupation by person with special needs;
- under-occupation.

Review of homelessness legislation

11.94 The Northern Ireland Government intends to introduce new housing legislation for Northern Ireland that will bring the Province's homelessness legislation more closely into line with that which applies in England. However, the Housing Executive's statutory duty to secure accommodation for applicants who are unintentionally homeless and in priority need will not be affected.

Discrimination

11.95 The Northern Ireland Act 1998 places a duty on statutory bodies, including the Housing Executive, to have due regard to the need to avoid discrimination. The Disability Discrimination Act 1995 makes it unlawful for a person with power to dispose of any premises to discriminate against a disabled person; the Race Relations (Northern Ireland) Order 1997 makes it unlawful to discriminate on grounds of race in the disposal (including the right to occupy) or management of premises; and the Fair Employment and Treatment (Northern Ireland) Order 1998 makes similar provision with regard to religious discrimination. DSD expects registered housing associations to ensure that their housing services are delivered fairly and without discrimination.

Disabled people

11.96 Since 1989, it has been a requirement that, in the social housing sector, all bungalows, ground floor flats and flats served with a lift must meet mobility requirements, unless there are special considerations which might make it inappropriate to do so. Mobility dwellings are designed for all ambulant disabled people to live in, including those who use wheelchairs but are not chair bound. Some two storey dwellings have also been designed to mobility requirements. In the last few years, providers of social housing have been encouraged to provide *Lifetime Homes* which can cater for a wider range of tenants or visitors with disabilities, including some using wheelchairs.

Grants for vulnerable households and disabled people

11.97 The Northern Ireland Government will consider proposals for new housing legislation which would authorize the Housing Executive to make discretionary grants in respect of the most vulnerable households and the most unsatisfactory areas of housing in the private sector. Disabled facility grants will remain mandatory.

Best value and tenant participation

11.98 The Housing Executive, which is the largest social landlord in Northern Ireland, is already actively involved in best value. While the voluntary housing movement has no statutory responsibilities in this regard, it has indicated a willingness to be involved and is working in conjunction with DSD to develop a framework which will be flexible enough to cater for the diversities within the movement.

11.99 The Government wishes to ensure that all tenants of social housing in Northern Ireland have a proper say in the way their homes are managed. The Northern Ireland Tenants Action Project is an independent organization jointly funded by the Housing Executive and DSD to provide support and assistance to communities within the Executive's housing stock. The Department is presently encouraging the voluntary housing movement to increase the level of tenant membership on the boards of registered housing associations.

Support services

11.100 A working group involving the Housing Executive, the Probation Board and the relevant Northern Ireland Departments has been established to develop a framework for future funding and delivery of support services. The working group intends to establish an information sharing forum which will give providers an opportunity to contribute to the exercise. The new system entitled *Supporting People*, which is intended to help vulnerable individuals to live within the community, is expected to operate from April 2003.

Scotland

Homelessness

11.101 Part II of the Housing (Scotland) Act 1987 sets out the powers and duties of local authorities in dealing with applications from people seeking help on the grounds that they are homeless or threatened with homelessness, including those assessed as being in priority need of housing. The legislation requires local authorities to have regard to Guidance issued by the First Minister in exercise of their homelessness functions. A revised Code of Guidance was issued in 1997 following widespread consultation. The Guidance includes the categories of those considered to be in priority need. Whilst local authorities have discretion to deal with each application on its merits in making decisions under the 1987 Act, failure to have regard to the terms of the Guidance may give grounds for judicial review of the local authority's decision.

11.102 The Scottish Executive has set up a Homelessness Task Force to review the causes and nature of homelessness in Scotland, to examine current practice in dealing with cases of homelessness, and to make recommendations on how homelessness in Scotland can best be prevented and, where it does occur, tackled effectively. The first priority of the Task Force was to produce a report in April 2000 on proposed legislative amendments to improve the protection of homeless people, which are to be included in the forthcoming Housing Bill.

HOUSING STANDARDS AND THE HOUSING ENVIRONMENT

England and Wales

Unfit housing

11.103 The Housing Act 1985 imposes duties on local authorities with regard to houses unfit for human habitation, for example to serve a repair notice and, if it is not complied with, to do the necessary works themselves and charge the cost to the owner. The authority may also take other action; for example it may make a clearance order and purchase the housing in order to demolish it ("slum clearance").

Review of standards

11.104 The Government is currently reviewing the housing fitness standard which comprises a set of conditions and amenity requirements deemed to be the minimum necessary for a dwelling house to be fit for human habitation. This is partly in response to calls for the standard to cover the areas that are believed to pose the most significant health and safety risks, and also to consider the way the standard is applied. Consultants are developing a health and safety based rating system as a replacement for the fitness standard. If the Government is satisfied that this new system is both robust and practical, it would be proposed to introduce it by primary legislation at an early opportunity.

Building regulations and disabled people

11.105 Amendments to the building regulations made in 1998 introduced a general requirement that from October 1999 new housing should incorporate design features to facilitate access and use by disabled people. From October 1999, new homes must have step free entry, doors and corridors in the entrance storey wide enough for wheelchair users, and a WC in the entrance storey.

Statutory nuisances

11.106 The Environmental Protection Act 1990 (as amended by the Noise and Statutory Nuisance Act 1993) defines matters which constitute statutory nuisances including, for example, any premises in a state of repair that would be prejudicial to health or a nuisance and noise emitted from premises which would be prejudicial to health or a nuisance. The Act also sets out procedures for action by local authorities. Powers for local authorities in England and Wales to deal with night time noise from dwellings are provided for in the Noise Act 1996.

Northern Ireland

Unfit housing

11.107 The Housing (Northern Ireland) Order 1981, as amended by the Housing (Northern Ireland) Order 1992, imposes similar duties on the Housing Executive with regard to houses unfit for human habitation as are imposed on local authorities in England.

Building regulations and disabled people

11.108 The process of amending the building regulations to bring Northern Ireland into line with England has commenced. Proposals for amendments were published for consultation in November 1999 inviting comments by 18 February 2000.

Statutory nuisances

11.109 The Housing (Northern Ireland) Order 1981 empowers the Housing Executive to take action against the owner of unoccupied property where it is in such disrepair that it becomes necessary to protect adjacent housing. The action taken may involve the service of a notice on the owner requiring him to carry out work or, in extreme circumstances, to have the property demolished.

Scotland

Houses Below the Tolerable Standard

11.110 The Housing (Scotland) Act 1987 places a duty on local authorities to survey and take action (by closure, demolition or improvement) on any houses found to be below the tolerable standard. The tolerable standard is currently under review.

Building regulations and disabled people

11.111 The fifth amendment to the Building Standards (Scotland) Regulations 1990 came into force on 17 April 2000. It includes major changes on access for disabled people, embodying many “barrier free” features: step-free approach to almost all new dwellings, level thresholds, wider doors and corridors on the entrance storey, and a WC suitable for disabled people. All such dwellings will then be suitable for a disabled person to visit.

Statutory nuisances

11.112 The Environmental Protection Act 1990 (as amended by the Environment Act 1995) defines the matters which constitute statutory nuisance in Scotland. Local authorities can in addition take action in respect of houses in a poor condition under a number of powers in the Housing (Scotland) Act 1987.

REGENERATION AND SOCIAL POLICY

England

Integrated regeneration and social policies

11.113 The Government has developed a series of programmes to attack the causes of social and economic decline and to provide for the regeneration of communities in a co-ordinated manner. The programmes include The Single Regeneration Budget and A New Deal for Communities which complement other programmes such as the health action zones and the education action zones (see the chapters on Articles 12 and 13 below). A more recent report on Sustainable Development strategy called *A Better Quality of Life* provides a national strategy from which local and regional action can follow.

The Single Regeneration Budget

11.114 The Single Regeneration Budget (SRB) provides funding to support regeneration initiatives in England carried out by local partnerships with the object of enhancing the quality of life of local people in areas of need by reducing the gap between deprived and other areas, and between different groups. It is an important instrument in the Government's drive to tackle social exclusion and to promote equality of opportunity. There have been six annual "bidding rounds" for SRB resources from local "regeneration partnerships"- the latest was launched in December 1999 with bids expected to be implemented from August 2000. There are over 700 schemes under Rounds 1 to 5 which stand to receive over £4.4 billion of SRB money over their respective implementation periods of between one and seven years. They should attract over £11.6 billion in other public and private investment. A large number of these schemes are likely to have multiple objectives and cover a wide range of activities depending on local regeneration priorities. It is not possible to break down expenditure to say how much has benefited one objective, therefore no information is available on the amount of SRB spent on housing improvement or new dwellings.

Housing forecasts and outcomes under SRB

11.115 It is forecast that 259,000 dwellings will be improved or completed during the implementation period of Rounds 1 to 4 SRB Schemes as follows:

No. of PS dwellings completed	31 207
No. of PS dwellings improved	57 066
No. of LA dwellings completed	2 614
No. of LA dwellings improved	127 568
No. of HA dwellings completed	24 698
No. of HA dwellings improved	16 055
No of dwellings included in newly-formed tenant management organizations	29 493

(PS = Private Sector; LA = Local Authority; HA = Housing Association)

The provisional forecast housing outputs for Round 5 is over 37,000.

TABLE
of
Actual and Forecast Outputs for SRB (Challenge Fund) Schemes

	Achieved Round 1 1995/96	Achieved Rounds 1,2 1996/97	Achieved Rounds 1,2,3 1997/98	Forecast Rounds 1,2,3,4 1998/99
Number of dwellings completed or improved	6 960	20 530	36 090	39 330

Regional Development Agencies

11.116 The functions in respect of housing of English Partnerships (the urban regeneration agency)[29] are, from 1 April 1999, exercised by new bodies called Regional Development Agencies (RDAs) and, from July 2000, in the case of London, by the London Development Agency.

The New Deal for Communities

11.117 A new programme, the New Deal for Communities, was launched alongside the Social Exclusion Unit's report on *Deprived Neighbourhoods* in September 1998. The programme will give some of the poorest communities in England the resources they need to tackle their problems in an intensive and coordinated way. The objective over the longer term is to bridge the gaps that distinguish these neighbourhoods from the rest of the country. It will focus on issues such as: worklessness, crime, educational under-achievement and poor health. £800 million has been earmarked to support the programme over the next three years.

Housing Action Trusts

11.118 Housing Action Trusts (HATs) are Government-funded independent bodies set up under the Housing Act 1988 to take over and regenerate some of the worst local authority housing estates in England. Six HATs were established in the early 1990s in Hull, Birmingham, Liverpool and the London Boroughs of Brent, Tower Hamlets and Waltham Forest. The six HATs are planning their programmes on the basis of a total public expenditure of £1,095 million. They also receive income from rents, and have attracted a further £126.5 million funding from the private sector to the end of 1998. Each HAT has an implementation period of from 8 to 12 years (North Hull HAT completed its work in 1999) during which they renovate or rebuild over 18,500 homes (mainly comprising 1960's tower blocks which are being demolished and replaced with traditional street patterns of houses and low-rise flats). By 1999, at the mid-point of the HAT programme, over 3,000 new homes had been built and 7,500 refurbished.

11.119 At the same time, HATs are carrying out extensive social and environmental programmes to ensure that the tenants of the new properties will sustain an improved quality of life. By the year 2000, over 10,000 HAT tenants will have benefited from training and education programmes and 5,000 will have been helped into new jobs through HAT advice. HATs also provide help with jobs, childcare, healthcare, financial matters (e.g. community credit unions) and programmes to tackle drugs, crime and vandalism on the estates. As part of their exit strategy HATs provide for these services to continue after the HAT is wound up - usually by means of tenant-led Community Development Trusts.

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[29] See paragraph 169 of the Third Report.

11.120 At the end of the HAT implementation period, tenants have the choice of returning (in their new homes) to local authority tenancy, or becoming tenants of another Registered Social Landlord, ensuring diversity of tenure on the estates.

Sustainable Communities

11.121 In May 1999, the Government published a report on Sustainable Development strategy called *A Better Quality of Life*, which provides a national strategy from which local and regional action can follow. The report envisages building sustainable communities of mixed tenure developments in which residents and tenants are able to participate; these, it is intended, will offer opportunities for a better quality of life for all, including the most disadvantaged in society. Land use planning policy guidance will play an active role in helping to make the best use of land and buildings in existing urban areas for new housing and so bring life back into urban areas. The Government currently has a target of 60 per cent of new housing on sites which were previously developed or to sustain existing buildings. Currently 55 per cent of new houses are provided from these sources.

Regeneration and greenfield sites

11.122 The national planning policy for housing, as set out in Planning Policy Guidance Note 3 (PPG3) *Housing*, makes clear that planning authorities should make full and effective use of previously developed land in urban areas to reduce the pressures for development in the countryside and to assist urban regeneration. However, the Guidance recognizes that housing will continue to be needed on greenfield sites outside urban areas. Development there should relate to the existing pattern of settlement in terms of accessibility, scale and environmental quality. Recognition is given to the fact that new housing may help to maintain local shops, pubs, schools and other features of community life. In the case of rural areas, PPG3 advises planning authorities that they may exceptionally release small sites within or adjoining existing villages. Since housing would not normally be permitted on these sites, the land should be used purely for affordable housing to meet local needs.

Social exclusion and unpopular housing

11.123 The Government aims to identify long term and sustainable solutions to the problems raised by unpopular housing and to deal with the problems facing people living in deprived neighbourhoods. In 1998, the Social Exclusion Unit published a report *Bringing Britain together: A National Strategy for Neighbourhood Renewal* which identified the characteristics of deprived neighbourhoods which could include, poor, vandalized, vacant and derelict housing, high unemployment, a high proportion of lone parent households and underage pregnancies, poor health, poor literacy and educational facilities, few or inadequate public and private services, and a lack of shops which sell goods, including food, at reasonable prices. One study found that the cost of food in small independent local shops can be 60 per cent higher than at supermarkets. The report identified areas of policy where greater co-ordination was needed. Following this report, an intensive programme of policy development was started. This involved establishing 18 policy action teams, drawing together staff from ten Whitehall Departments, experts from outside Government, and those with on the ground experience of poor neighbourhoods.

The work of the teams was based around 5 themes:

- getting the people to work: jobs, adults skills, business start-ups;
- getting the place to work: neighbourhood management; housing management; areas of housing abandonment; tackling anti-social behaviour; community self-help; community arts and sport;
- a future for young people: focus on the next generation; better way of motivating children to learn at school and to provide older children a better alternative to the attractions of drugs and crime;
- access to services: shops, financial services, information technology;
- making the Government work better: learning the lessons of best practice; joining up local strategies; getting better small area information.

The Policy Action Teams completed their reports in early 2000, and in March 2000 the Social Exclusion Unit published a consultation paper of its national strategy for neighbourhood renewal. The aim is that not only should Government Departments commit themselves to the strategy, but also that local authorities and other key public agencies as well as business, the voluntary sector and others working in poor communities should do so.

11.124 One Policy Action Team which looked at the problems raised by unpopular housing issued their report in October 1999. The Team examined the scale and spread of the problem of low demand and unpopular housing in areas of high demand, in order to identify the causes of, and strategies for tackling, this issue. Their report notes that low demand affects both social and private sector housing. Around two thirds of local authorities experience low demand or unpopular housing in their stock, and almost a quarter report low demand for private housing. Most unpopular housing is concentrated in the northern regions, but there are pockets of unpopular social housing in the South, particularly in London. The causes very greatly between areas, but include high levels of crime, poor quality housing, local economic decline, demographic changes and a mismatch in supply and demand. The Team's conclusion is that low demand housing must be tackled through economic and social programmes as well as physical improvements. Their recommendations are now being considered by the Government.

11.125 The Policy Action Team on housing management published their report in August 1999. The team comprised housing professionals, academics, tenants and professional bodies as well as members of other Government departments. Their report made recommendations on good housing management, with an on-the-spot presence, for action by Government departments, the Housing Corporation, local authorities and registered social landlords.

White Paper on Urban Policy

11.126 The Government proposes to issue a White Paper on urban policy later this year which will be designed to address the issues of sustainable communities and the quality of life in England. The White Paper will take account of the work of relevant Policy Action Teams and set out a framework to ensure that towns and cities are not only competitive and prosperous but offer a good quality of life for the whole community. The Government's broad objectives are:

- to achieve sustainable economic growth, with a better balance between regions, within regions and within individual cities and rural areas;
- to ensure that the Government meets the need for more homes in the most sustainable way;
- to ensure everybody has the opportunity to fulfil their potential, and to tackle social exclusion;
- to ensure everybody has access to the services they need;
- to provide a high quality of life for people wherever they live and to protect and enhance the environment.

Northern Ireland

Housing Green Paper

11.127 DOENI carried out a major review of housing policy in 1996. As a result of this, responsibility for providing new social housing passed from the Housing Executive to registered housing associations. The DSD is monitoring housing policy developments elsewhere in the United Kingdom and the Northern Ireland Government intends to review a wide range of housing policies.

Scotland

Social Justice Report

11.128 A paper *Social Justice: A Scotland where everyone matters* was published on 22 November 1999, and set out across different policy areas ten long-term targets underpinned by 29 shorter term milestones. Long-term targets in the document include the ending of child poverty and the achievement of full employment. An annual report will be produced monitoring progress against the milestones.

Social Inclusion Partnership Programme

11.129 In April 1999 the Government established the Social Inclusion Partnership programme to tackle social exclusion in some of the most deprived areas in Scotland. A network of 47 Social Inclusion Partnerships was set up targeted on areas of greatest need and socially excluded groups in rural and urban areas across Scotland. Social Inclusion Partnerships are multi-agency partnerships, comprising all relevant local partners such as the local authority, Scottish Homes, the local enterprise company, and the local health board and trusts; and also representatives from the voluntary and private sectors and from the local community. The Scottish Executive is providing £146 million funding for the programme over three years from April 2000.

11.130 The Social Inclusion Partnership programme is based on the principles that inform the Government's approach to tackling social exclusion - the need for a co-ordinated approach, the need to tackle prevention of exclusion as well as social exclusion itself, and the need for innovation. The Partnerships therefore focus on the most needy members of society; they co-ordinate and fill gaps between existing programmes to promote inclusion; and they seek to prevent people becoming socially excluded. Operating under a long-term strategy for their target area or group, that has the commitment of all the local partners, they are expected to involve the community at the heart of the process. Many Social Inclusion Partnerships are at an early stage in their life but in others, where multi-agency regeneration partnerships have been in existence for some time, much has been achieved already.

Wales

Housing policy

11.131 National planning policy in Wales for housing, as contained in *Planning Guidance (Wales): Planning Policy First Revision*, makes it clear that planning authorities should make full and effective use of previously developed land in urban areas to reduce pressures for development in the countryside and to assist urban regeneration. New housing developments should be well integrated with the existing patterns of development; the expansion of towns and villages should avoid creating ribbon development, coalescence of settlement or a fragmented development pattern. The Guidance states that new settlements on greenfield sites are unlikely to be appropriate in Wales and for rural areas follows the advice at paragraph 11.122 above.

Welsh Capital Challenge

11.132 One of the main sources of regeneration funding in Wales is *Welsh Capital Challenge* which was launched in 1996 to support local authorities in making an integrated approach to capital expenditure to promote economic, environmental and social development. Since its launch, over £83 million has been allocated to 113 projects which are forecast to create or safeguard an expected 4,200 jobs.

Community development

11.133 Other community regeneration programmes are:

- The *People in Communities* programme which was launched in 1998/99. Eight communities were initially chosen to participate in the programme which uses intensive community development work and long term planning to bring about sustainable economic and social regeneration. Nominations for a second round of the programme in 2000/01 have been invited from local authorities, voluntary organizations and development trusts;

- *Sustainable Communities*, a programme funded by the National Assembly for Wales for local projects designed to secure the social sustainability of communities. £250,000 was allocated to this programme in 1999/00, increasing to £1 million in 2000/01. Bids for funding are invited from local authorities, RSLs and voluntary organizations;

- Coalfield regeneration under the Coalfield Regeneration Trust to secure economic, social and environmental regeneration in the former coalfields of North and South Wales. The National Assembly provides a contribution of £3.3 million over three years.

Community First

11.134 The National Assembly is introducing a new concept in community regeneration in Wales to be known as *Community First*. This is a non-prescriptive approach designed to meet the needs and priorities of communities as determined by the communities themselves. It will be targeted at the most deprived communities and will involve long-term funding. The initial consultation document *Communities First* was issued in April 2000.

Local Regeneration Fund

11.135 Following a review of regeneration funding, the National Assembly propose to introduce a single Local Regeneration Fund. The Fund will be available to local authorities and the voluntary sector and £18.5 million has been earmarked for new projects in 2000/01. The Fund will be integrated, wherever possible, with the mechanisms for allocating European funding. Details of the bidding criteria for the Fund were issued in May; it is expected that proposals for support will have been agreed by local partnerships as part of a local action plan.

FUEL POVERTY

England and Wales

Fuel Poverty

11.136 It is estimated that at least 4.3 million households in England and 250,000 in Wales cannot afford to keep their homes adequately warm throughout the year. Fuel poverty is caused primarily by a combination of low income and poor energy efficiency in the home. A recent inter-departmental review of fuel poverty policy concluded that in order to make a permanent difference, poor home energy efficiency needs to be tackled. As a result, in May 1999 the Government published for consultation its proposals for a radical new Home Energy Efficiency Scheme (HEES) for England. A similar consultation paper for Wales was published in June 1999. The new scheme will provide warmer, healthier homes for those most vulnerable to cold-related ill health - the elderly, families on low income and the disabled. With a budget of some £300 million for the first two years, *New HEES* will offer enhanced grants for insulation and, for the first time, new heating systems.

Local authority expenditure on Home Energy Efficiency Schemes

11.137 It is estimated that around one third of the substantial additional funds allocated by the Government for local authority housing over the next three years is likely to lead directly or indirectly to improvements in energy efficiency. For this reason *New HEES* will focus on households in the private rented and owner-occupied sectors, where the need for assistance is greatest and there is little recourse to any other source of assistance. Local authorities will also be required to report on their policies and measures for tackling fuel poverty, and on their achievements.

Northern Ireland

Fuel Poverty

11.138 The Housing Executive, as Northern Ireland's single comprehensive housing authority, is the Home Energy Conservation Authority for the Province. It is required to report annually to DSD on its policies and measures for tackling fuel poverty and on its achievements.

11.139 It is estimated that some 170,000 households in Northern Ireland may be at risk of fuel poverty. Officials from DOENI participated in the United Kingdom-wide inter-departmental review of fuel poverty policy and, as a result, Northern Ireland's Domestic Energy Efficiency Scheme (*DEES*) is under review. Proposals for the revised scheme will be subject to wide consultation. Similar to *New HEES*, the revised *DEES* will focus on households in the private rented and owner occupied sectors and it is anticipated that it will have an enhanced budget and include an expanded range of energy efficiency measures.

Scotland

Fuel Poverty

11.140 It is estimated that about 500,000 households in Scotland may be affected to some degree by fuel poverty. The Scottish Executive's *Programme for Government* document commits the Executive to a "Healthy Homes Initiative" to help to tackle the incidences of dampness and fuel poverty in Scottish households. To help deliver this commitment, the Executive introduced the *Warm Deal* grant scheme in July 1999. This scheme has the largest budget ever made available for energy efficiency measures in Scotland. The scheme is targeted on low income households and the elderly in receipt of income related benefits.

ROUGH SLEEPING

England

The problem

11.141 Since 1990, over £250 million has been spent by the Government through the *Rough Sleepers Initiative* alone in services to help homeless people off the streets. As a result of this and other initiatives and the sustained efforts of the voluntary sector there has been a considerable reduction of rough sleepers since the early 1990s. However, in June 1999, on any one night, there were approximately 1,633 people sleeping rough on the streets of England, including 635 in Greater London. The 1998 Social Exclusion Unit report on rough sleeping showed that 90 per cent of all rough sleepers are male and that three-quarters are over 25. Fewer than 5 per cent are from ethnic minorities. Many rough sleepers have multiple and complex needs. Half are alcohol reliant; 30 to 50 per cent have a severe mental health problem; and one fifth are drug users. There are also clear similarities in rough sleepers' backgrounds: between a quarter and a third have been in local authority care as children, around half have been in prison or a remand centre and around a quarter have served in the armed forces at some time.

Further action on rough sleeping

11.142 The 1998 SEU report set a target for reducing the number of people sleeping rough to as near zero as possible and by at least two-thirds by 2002. A ministerial committee was established to oversee this work. Following public consultation, the Rough Sleepers Unit was established in April 1999 to co-ordinate and take forward work on reducing rough sleeping. The Unit is headed by a former deputy director of Shelter and staffed by people seconded from a number of organizations. The Unit has a budget of £160 million for London over three years, which includes funds previously administered by separate departments. Outside London, where local authorities continue to take the lead in developing local strategies, the Unit runs a £34 million programme of grants for the voluntary sector under the new Homelessness Action Programme.

11.143 The most recent initiative on rough sleeping is *Coming in from the Cold*, launched in December 1999, which set out a new, integrated approach. The key principles underpinning the strategy are to:

- tackle the root causes of rough sleeping;
- pursue approaches which help people off the streets, and reject those which sustain a street lifestyle;
- focus on those most in need;
- never give up on the most vulnerable;

- help rough sleepers to be active members of the community;
- be realistic about what we can offer those who are capable of helping themselves.

Bids have been invited from voluntary organizations and others seeking funding to help implement this strategy.

Northern Ireland

Rough sleeping

11.144 In the past, research failed to find conclusive evidence of a rough sleeping problem in Northern Ireland. However, the Housing Executive has been participating in a street outreach project based in Belfast which should enable the Executive to make an objective assessment of the nature and extent of any problem. One possible problem that has emerged is that some people may be sleeping rough in Belfast because they are unable to obtain access to existing hostel facilities due to alcohol related behavioural problems. If this proves to be the case, future action is likely to involve the provision of special hostel facilities to cater for this group.

Scotland

Rough Sleepers

11.145 The problems of rough sleeping in Scotland are most acute in Glasgow and Edinburgh but there are people rough sleeping in many other towns and cities throughout Scotland. The Scottish Executive has set a target of ending the need for rough sleeping in Scotland by 2003 and a total of £40 million has been available for this purpose, £16 million over the three years 1997/98 to 1999/00, and £24 million from 2000/01 to 2001/02. A further £8 million in additional resources has been made available in 2000/01 to provide a hostel reprovisioning strategy in Glasgow and to help provide a plan to reduce the number of people in temporary accommodation.

11.146 The Scottish Rough Sleepers Initiative was set up in 1997. Local authorities, in partnership with voluntary organizations and other bodies, were invited to assess the incidence of rough sleeping in their area, to establish a strategic approach to tackling the problem, and to submit bids to fund projects as part of this approach. The administration of the rough sleepers initiative is supported by the Rough Sleepers Initiative Advisory Group which includes representatives of the voluntary sector as well as statutory agencies. This group makes recommendations on which projects should be funded and more generally on the development of the initiative. The first round of Rough Sleepers Initiative was subject to evaluation in 1998/99. It was found that the initiative had played a crucial role in galvanising the efforts of participating local authorities and voluntary sector agencies to devise and implement strategies to tackle rough sleeping in their localities. A wide range of services are being provided to give rough sleepers routes into permanent accommodation, including specialist medical support and outreach work.

Wales

Rough sleepers

11.147 A year long investigation into the incidence and causes of rough sleeping was presented to the National Assembly of Wales in December 1999. It concluded that, while there are no accurate figures for the numbers of rough sleepers, the scale of the problem is smaller than in England. The report includes a number of recommendations, including the development of a national homelessness strategy and specific strategies in each local authority area. The National Assembly is funding a range of voluntary organizations, working with local authorities, to provide for emergency accommodation, aid resettlement and carry out outreach work. The level of funding from 2000/01 is substantially higher than in previous years. (Funding for voluntary organizations dealing with homelessness - which is broader than rough sleeping - is £1.85 million in 2000/01, an increase of 75 per cent on the previous year.)

ARTICLE 12: HEALTH

Other reports and statistics

12.01 The 1997 United Kingdom's Department of Health Report to the World Health Organization on Monitoring the Strategies for Health (*the Strategies Report*) is set out at Appendix O.[30] The Committee is also referred to the relevant pages of the 1999 CEDAW Report[31] and the 1999 Child Report[32] and to chapters 7 (Health) and 8 (Social Protection) of the Government Statistical Service Publication, *Social Trends 30* attached as Appendix B.

United Kingdom

Access to health care

12.02 Previous reports to the Committee have set out the United Kingdom's health care policy and the structure of the National Health Service (NHS). The various services and categories of care are detailed at Targets 26-30 of the *Strategies Report*. Access to health care is detailed at Targets 28-30 of the *Strategies Report* - primary care (around 30,000 General Practitioners - GPs), hospital care (over 400 local hospitals), tertiary care and community services to meet special needs, respectively. Entitlement to the full range of services provided by the NHS depends on a person being resident in the United Kingdom. However, in addition to the information given in those targets, access to accident and emergency treatment is provided free of charge to everyone, including visitors to the United Kingdom, regardless of residence status or nationality. Ambulance services are provided free of charge to convey people to local hospitals in cases of emergency. A copy of the most recent revise (June 1999) of the *Patient's Charter* is attached as Appendix T.

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[30] The Introduction to the Strategies Report draws attention to the fact that some of the statistics and text in that report refer solely to England and some to the United Kingdom.

[31] Pages 124 *et seq*.

[32] Pages 79 *et seq*.

Public expenditure on health

12.03 Spending on health is one of the Government's priorities. The following table sets out the expenditure on health for the year 1997 and sets out comparisons over the previous ten-year period:

TABLE
of
expenditure (money value = £ million)

	1988	1993	1997
Total health expenditure	27 316	44 408	53 343[1]
Total expenditure on in-patient care	14 569	21 900	20 459[2]*
Total pharmaceutical expenditure	3 819	6 618	9 040[3]
% of GNP spent on health	5.7%	7%	N/A
% of GDP spent on health	5.8%	7.1%	6.8%
Public health expenditure as a % of total health expenditure	84%	83%	84.6%[4]
Total in-patient expenditure as a % of total health expenditure	53.3%	49.3%	42.2%*
Public in-patient expenditure as a % of total in-patient expenditure	92.3%	91.6%	89.7%*
Total pharmaceutical expenditure as a % of total health expenditure	14%	14.9%	16.9%
Public pharmaceutical expenditure as a % of total pharmaceutical expenditure	66.7%	63.2%	63.1%

Notes: All figures are 1997 figures except those relating to in-patient services (marked with an asterisk *).

[1] Excludes expenditure on armed forces health services, prison health services and nursing homes.

[2] Only hospital based (NHS) treatments, figures are for financial year, i.e. April 1995-April 1996.

[3] Includes prescription medicines and self medication (over the counter products), net of user charges. Pro rated to arrive at calendar year figure. Excludes pharmaceutical services in hospitals.

[4] Publicly funded health care provided by both publicly and privately owned providers.

Private Finance Initiative

12.04 The Private Finance Initiative (PFI) aims to promote a partnership between the public and private sectors in the provision of facilities and services. In the health sector, it aims to encourage private companies to help finance the design, construction and running of NHS buildings and support services. Following new legislation in May 1997, 25 major schemes in England worth £2.2 billion have been given approval to proceed under the PFI, of which 16, worth nearly £1.3 billion, have begun work. Eleven major schemes in Scotland worth £408 million are in progress and 15 schemes in Wales worth some £35 million have been concluded. The project documents for all PFI schemes must now be made publicly available so that staff, patients and communities are aware of what is being planned for their local health services.

HEALTH SERVICES

United Kingdom

Primary care groups and trusts (NHS)

12.05 Local doctors (GPs) are present in every community. They provide essential primary care and govern access to the other services provided by the NHS. Every year there are some 250 million GP consultations and some six million people visit a pharmacy every day. GPs remain the backbone of the health service, but the role of primary care is expanding. In December 1997, the Government set out a ten-year programme of reforms in a White Paper, *The New NHS - Modern - Dependable* (a copy of which is attached at Appendix U). The main points include the creation of:

- Primary Care Groups and Trusts - to replace the former commissioning and fund holding groups. These are teams of GPs and community nurses covering populations of around 100,000. Primary Care Groups will provide all the normal GP and community nurse services, as well as eventually taking over the running of local community hospitals, via the creation of Primary Care Trusts. These trusts are provided for under the Health Act 1999 and the first of them became operational in April 2000.

- NHS Direct - a 24-hour telephone hotline staffed by nurses. NHS Direct is designed to provide people at home with easier and faster advice and information about health, illness and the NHS so that they are better able to care for themselves and their families. The service aims to provide clinical advice to support self-care and appropriate referral to NHS services, as well as access to more general advice and information. NHS Direct harnesses modern technology to achieve this aim and makes the best use of the professional knowledge and skills of NHS staff. NHS Direct is currently available to 65 per cent of the population of England and is intended to cover the whole of England and Wales by the end of the year 2000. A pilot scheme is being planned for Scotland. NHS Direct currently helps over 100,000 callers a month. Around two-thirds are advised to use a more appropriate level of health care than they had intended to use before calling.

- Walk-in Centres - which are intended to provide a complimentary service to that provided by GPs for the treatment of minor illness and encouragement of self-help. They will be sited at various locations; eight of the 36 pilot sites are proposed for supermarkets or shop fronts and five alongside Hospital Accident and Emergency Departments. The Centres are currently planned to be "nurse-led", and to be supported by the local Primary Care Group with links to local GP surgeries. It is not intended to introduce Walk-in Centres in Scotland.

- NHSnet - a privately managed network designed to be used by the NHS. Users are able to send and receive messages across the Internet via a secure "gateway" between NHSnet and the Internet. A paper, *Information for Health,* published in September 1998, gave a commitment to modernising IMandT in the NHS and amongst other things committed the NHS to "Connecting all computerized practices to the NHSnet ... so that they were able to receive at least one type of test result from local hospitals by the end of 1999." A subsequent commitment is for a programme, to be in place by the end of 2002, to provide integrated computer systems linking the NHS, local hospitals and local doctors and will be available to GPs at their own desktop. The use of NHSnet as a secure means of electronically transferring clinical data will also support the aim of developing and accessing Electronic Health Records as they become available. £40 million from a Modernization Fund is being invested in 1999/00 to enable general practices to link up to NHSnet.

- Health Improvement Programmes - are designed to set national and local targets for improving health and healthcare and to concentrate on priorities such as coronary heart disease and strokes, accidents, mental health and cancer.

- Health Action Zones (HAZs) are partnerships between the NHS, local authorities (including social services), community groups and the voluntary and business sectors. They constitute a recognition that health is not just the business of the NHS, but that other organizations and agencies also have an impact on the health of the community; and they aim to link health, regeneration, employment, education, housing and anti-poverty initiatives to respond to the needs of vulnerable groups and deprived communities. HAZs have two main objectives which they aim to implement over a seven year programme: (i) to identify and address the health needs of the local area; and (ii) to modernize services by increasing their effectiveness, efficiency and responsiveness. There are 26 HAZs in England and two in Northern Ireland. A similar initiative has been launched in Scotland. HAZs now cover over 13 million people (in 34 Health Authorities) in some of the most deprived areas of the country, including inner cities, rural areas and coalfield communities.

Quality care

12.06 The commitment of the Government to quality, excellence and efficiency in the provision of health services as part of a ten year programme of modernization was set out in the White Paper, *A First Class Service - Quality in the new NHS,* which was published in July 1998. Since then considerable progress has been made in implementing this programme:

- The National Institute for Clinical Excellence (NICE) was established on 1 April 1999. Its first full work programme was launched in November of that year. This includes the appraisal of technologies (such as drugs and medical devices), the development of clinical guidelines on the management of certain diseases or conditions, and guidance on the appropriate use of particular treatments and procedures.

- National Service Frameworks (NSF) will set national standards and define service models for a particular service or care group, put in place strategies to support implementation, and establish performance targets against which progress within an agreed time scale will be measured. The NSF for Mental Health was launched in September 1999. The NSF for coronary heart disease was published early in 2000, and NSFs for Older People and on diabetes are also planned for 2000 and 2001, respectively.

- Guidance on Clinical Governance was published in March 1999. Clinical governance represents a systematic approach to quality assurance and improvement within the NHS by providing NHS organizations and healthcare professionals with a framework which, over the next five years, will lead to a single, coherent, local programme for clinical quality improvement. It encompasses local work to provide NICE guidelines and NSFs.

- The Commission for Health Improvement (CHI) was established on 1 November 1999. The Commission is intended to provide national leadership in developing clinical governance, and to conduct a continuing programme of local reviews of its implementation in NHS organizations. It will also conduct national reviews on the implementation of NSFs and NICE guidelines and help the NHS to identify and tackle serious or persistent clinical problems.

Copies of *A First Class Service: Quality in the new NHS* and *Clinical Governance: Quality in the new NHS* are appended as Appendices V and W.

Hospital and consultancy services (NHS)

12.07 The Patient's Charter includes information on hospital services, including waiting times for non-emergency treatment provided by local hospitals and trusts. On the examination of the Third Report, the Committee noted with concern the position on waiting lists in the United Kingdom. The Government shared this concern and has done much to improve the situation since November 1997. Half of all admissions to hospitals are immediate. The remainder are placed on a waiting list. Of patients on a waiting list, half are admitted to hospital within six weeks and about two-thirds within three months. As regards the remainder, a start was made with patients waiting over 18 months for treatment (there were nearly one thousand in November 1997), and by March 1998, for the first time in the history of the NHS, no patient had to wait over 18 months before admission and 18 month waiting times have been virtually eliminated. The number of patients waiting over 12 months has also fallen by nearly a third since June 1998.

12.08 The White Paper, *The New NHS - Modern - Dependable*, addressed one particular issue on waiting times. The Government has undertaken to improve access to specialist services so that everyone with suspected cancer will be able to see a consultant within two weeks of a GP requesting an appointment. The first quarter monitoring figures for 1999 showed that 91 per cent of women referred urgently to a specialist were seen within 14 days; in the second quarter this has risen to 95 per cent.

Dentists in the NHS

12.09 In some parts of England, it may be difficult to obtain the services of a dentist on the NHS. The Government recognises this problem and has pledged that by September 2001 everybody, no matter where they live, will be able to gain access to an NHS dentist. Access has already been improved through a number of measures including:

- *Investing in Dentistry* which ran from September 1997 to April 1999. This programme offered dentists grants to enable practises to be expanded, new assistant dentists taken on, or new practices opened in areas where there was difficulty finding an NHS dentist. 370 schemes have been approved for a total of £10 million and have already resulted in 400,000 new registrations. They are expected to result in up to three quarters of a million new registrations.

- *Personal Dental Services* (PDS) which are designed to remedy service deficiencies and access problems by providing new forms of service and contractual arrangements. There are 38 pilot schemes in operation and 14 more have been approved and should be operational by the end of the year. Projects include mobile surgeries, domiciliary care for house bound people and the appointment of dental therapists for limited procedures.

- *Dental Access Centres*, which are one form of PDS schemes. They provide a complete range of services for people unable to register with a dentist. The centres will be open at times when patients can get to them. The first 50 centres will be in operation by the end of the current financial year.

The Government's paper *NHS Dental Strategy for England* addresses issues such as improving access, quality and patient information.

Private medical services

12.10 In addition to the services provided by the NHS, there are medical and other health practitioners in private practice and private hospitals. Some NHS hospitals share expensive equipment with private hospitals.

Hospices

12.11 Hospice or palliative care, principally for patients suffering from cancer, but also other life-threatening illnesses, is provided by a mix of charitable, community and NHS services depending on what is appropriate for individual needs and the type of services which are available locally. Health authorities should have a palliative care strategy which is appropriate for their population and is based on local Health Improvement Programmes. Wherever possible, agreements with providers of palliative care should be for a three year period.

Northern Ireland

New programmes

12.12 In March 2000, the Department of Health and Social Services published a paper entitled *Fit for the Future: A New Approach* which set out a radical approach for the health and social services. The policies in that document are to be addressed by the Executive.

Scotland

Primary care services

12.13 Local Health Care Cooperatives (LHCCs) are voluntary groupings of general practitioners and other local care professionals covering natural communities. They are part of the internal management of Primary Care Trusts and are designed to support the development of primary care services to meet local needs. There are currently 80 LHCCs across Scotland. A Joint Future Group, chaired by a Minister, is devising new proposals for community care and the improvement of quality of care.

NHS dentistry in Scotland

12.14 In Scotland the priorities for NHS dentistry are tackling the poor oral health of children, improving access to services through dental access schemes and the appointment of salaried dental practitioners.

Wales

Health services in Wales

12.15 The principles and structures on which health services are provided in Wales are essentially the same as in the rest of the United Kingdom but there some distinctive features and the National Assembly for Wales is developing polices which specifically address the needs of Wales. The agenda for the reform and improvement of NHS services in Wales was set out in the White Paper, *Putting Patients First* (January 1998). One of the principal elements of the reform was the creation of Local Health Groups (similar to Primary Care Groups in England) comprised largely of health professions to assess local needs and commission the provision of services accordingly. From April 1999, 22 of these Groups have been in operation with their boundaries being coincident with the 22 unitary local authorities in Wales. The White Paper required health authorities to compile Health Improvement Programmes and the authorities in Wales have these in place; progress on their implementation is being monitored by the Assembly.

Quality of care

12.16 Improving the quality of NHS services in Wales is being pursued in a number of ways and the Assembly is working constructively with both the National Institute of Clinical Excellence and the Commission for Health Improvement. Access to NHS services has been improved with the introduction of NHS Direct. The service aims to inform the public and also facilitate access to the most appropriate NHS services or self-care. But, despite recent improvements, the health of the people of Wales is poor compared with that in the majority of European countries and in other parts of the United Kingdom. A challenging agenda for improving public health was established in the White Paper, *Better Health Better Wales*, published in May 1999 and in the associated Strategic Framework issued in October 1998. Targets for improving public health and NHS services are contained in the Assembly's *Strategic Plan: A Better Wales* which was published in May 2000.

SOCIAL AND COMMUNITY SERVICES

United Kingdom

Personal social services

12.17 In England and Wales personal social services and community services are the responsibility of local authorities. In Northern Ireland they are integrated with health services to provide a co-ordinated service, and in Scotland community care services are provided though joint working between Health Boards and Trusts and local authorities. Services for families and children are noted in the chapter on Article 10. Various other services complement those provided by the health authorities in providing assistance in the home and the community to the elderly, the disabled, people with learning difficulties, people with mental illness and with alcohol and drug problems.

- Services for the elderly are designed to enable them to live in their own homes whenever possible. They include help by social workers, domestic help, the provision of meals in the home, night attendants and respite care; charges may be made for these services. Homes may also be adapted to elderly persons' needs. For those who can no longer live at home, residential care homes or nursing homes are provided on a means tested basis.

- Similar services are provided for disabled people to enable them to live at home.

- Local authorities provide or arrange for short term care for persons with learning difficulties, support for their families in their own homes, residential accommodation and support for activities outside the home to assist such people, as far as possible, to live full lives in their communities.

- Similar services are available to mentally ill people.

The services are provided by cooperation between Government agencies, local authorities and voluntary and private social care organizations.

HEALTH PROGRAMMES AND POLICIES

United Kingdom

Children

12.18 Infant mortality rates for 1991 and 1995 are set out at item 7 of Target 7 of the *Strategies Report*. The statistics are broken down to show Scotland, Wales and the regions of England separately. Figures for Northern Ireland are 5.8 (1996) and 5.6 (1998). The infant mortality rate has fallen in recent years, throughout the United Kingdom. The target also provides information on recent strategies relating to the health of children and young persons in the community. A copy of the Patient's Charter, *Services for Children and Young People* is attached at Appendix X.

Communicable diseases and immunization

12.19 Information relating to the prevalence of various communicable diseases and the immunization of children, as well as statistical evidence of progress, can be found at Targets 5 and 28 of the *Strategies Report*. The WHO target of 90 per cent coverage for all the diseases in the childhood immunization programme and the United Kingdom target of 95 per cent has been exceeded for four of the eight diseases.

Women

12.20 Maternity services are noted in the chapter on Article 10 above. Further information on the health of women and family planning is set out at Target 8 of the *Strategies Report*.

Life expectancy

12.21 Life expectancy continues to rise; in the United Kingdom (1997) it is 74.3 (males) and 79.5 (females). The separate figures for the constituent countries are:

England	74.6 (males)	79.9 (females)
Northern Ireland	73.6	78.9
Scotland	72.2	77.8
Wales	74.0	79.7

Target 6 of the *Strategies Report* sets out the United Kingdom's policies to improve life expectancy and efforts to promote "healthy ageing".

Inequalities in health

12.22 Standardized mortality rates are lower among social classes I, II and III than amongst other social classes. The prevalence of self-reported long-standing illness and limiting long-standing illness is also lower among professional and non-manual groups than among those in manual occupations. Similarly, those who are unemployed or economically inactive report more long-standing illness than those who are in work. All-cause standardized mortality ratios are higher in northern regions of England than in other parts of England. (Target 1 of the *Strategies Report* sets out the United Kingdom's policy on equity in health.)

12.23 An independent inquiry into health inequalities in England, chaired by a former Chief Medical Officer, Sir Donald Acheson, resulted in the report, *Inequalities in Health*, which was published in November 1998. This report greatly assisted the Government in developing its public health White Paper, *Saving Lives: Our Healthier Nation*, published with an action plan, in July 1999. Copies of all three documents are attached at Appendix Y. Similar plans were published for Northern Ireland, Scotland and Wales.

12.24 The White Paper and action plan set out Government's strategy to tackle poor health, improving health, particularly of those worse off in society, narrowing the health gap, and reducing the number of preventable deaths. The strategy focuses on the four main causes of preventable death - cancer, coronary heart disease and stroke, accidents and mental illness - and has set targets to reduce the number of deaths in each of these areas. A detailed analysis is set out in the White Paper. See also Targets 9 and 10 of the *Strategies Report*.

Special needs, including the elderly

12.25 Measures to support those with special needs that require long term care are set out at Target 30 of the *Strategies Report*. These include measures specifically designed for the disabled and the elderly - continuing in-patient care for those who need it as well as comprehensive guidance on the availability of palliative care; and guidance issued in February 1995 requires all health authorities to develop local policies and eligibility criteria for elderly people to receive health care. The number of people aged 65 and over has increased by 13 per cent between 1978 and 1998, but the expenditure on services used mainly by elderly people (geriatric in-patients, direct nursing, etc.) has increase by 42 per cent in that period.

12.26 A Royal Commission on Long-Term Care for the Elderly reported in March 1999 and legislation has been introduced to establish A National Care Standards Commission. The Commission is intended to regulate, and encourage the development of, care services, and to provide an overview of the availability of long-term care. A White Paper on long term care will follow the review of Government spending in 2000.

Smoking and alcohol

12.27 Information on smoking and alcohol is set out in Target 17 of the *Strategies Report*. In December 1998, the Secretary of State for Health (together with the Secretaries of State for Northern Ireland, Scotland and Wales) published a White Paper, *Smoking Kills - A White Paper on Tobacco*. This contains a number of measures designed to cut down on smoking, especially among children and young people. A copy of the White Paper is attached at Appendix Z. Reducing smoking is an important part of the Government's public health strategy to improve the healthy life expectancy of all citizens and to narrow the gap in health between social classes. *Smoking Kills* contains important measures from a number of Government Departments and involves action by individual businesses, trade associations, local authorities, schools, charities and individuals, as well as health professionals and the NHS. Key priorities are preventing children from taking up smoking and helping adult smokers quit, particularly manual workers and pregnant women.

Alcohol misuse in England

12.28 A consultation paper on alcohol misuse in England is due to be published later this year. Its broad aims are:

- to encourage people who drink to do so sensibly in line with Government guidance, so as to avoid alcohol related problems;
- to protect individuals and communities from anti-social and criminal behaviour related to alcohol misuse; and
- to provide services of proven effectiveness that enable people to overcome their alcohol misuse problems.

The Department of Health is working with all concerned with alcohol - across Government, health and social services, schools, the alcohol industry, law enforcement agencies and the general public - to provide a coherent and balanced framework for action to tackle alcohol misuse and its consequences.

Scottish Advisory Committee on Alcohol Misuse

12.29 In Scotland, the Scottish Advisory Committee on Alcohol Misuse, which brings together representatives of all key interests - health, local authorities, police, the licensed trade and the drinks industry - has been set up to advise the Scottish Executive on alcohol misuse. The aim is the development and implementation of a new national plan to be published by the end of 2001, and work is in progress on the first phrase of a plan of action.

Psychoactive drugs: Great Britain

12.30 Target 17 also contains information on drug misuse. In 1995, a new strategy, *Tackling Drugs Together*, was adopted in England (with similar proposals for Scotland and Wales) designed, *inter alia*, to reduce health risks and the availability of drugs. This was followed in April 1999 by a new Drugs Prevention Advisory Service which was established to work with local drugs prevention teams to encourage good drug prevention practice. In Scotland, a new Prevention and Effectiveness Unit has been established to monitor the effectiveness of anti-drugs agencies and projects and a new Scottish Drug Enforcement Agency is an important component in the Executive's drive to tackle the misuse of drugs.

Mental health

12.31 The Government made mental health a key area in the White Paper *Saving Lives: Our Healthier Nation* (July 1999). Mental health is also identified as a priority area for both health and social services in the *National Priorities Guidance* issued by the Department of Health. The

Government's aims - to provide safe, sound and supportive mental health and social care services - were set out in *Modernising Mental Health Services* in December 1998. To achieve these aims, the Government is making £700 million available in extra resources over this and the next two years. The first National Service Framework for Mental Health was published in September 1999 and set out national standards to improve quality and avoid wide variations in service. In July 1999, a consultation paper, *Managing Dangerous People with Severe Personality Disorders*, was published; this set out Government policy objectives for tackling the problems posed by this group of people. This was followed in November 1999 by the publication of the Green Paper on the Reform of the Mental Health Act 1983.

Publications promoting good health

12.32 Health Education is the responsibility of the relevant central authorities in the various components of the United Kingdom. During the period under review, the Department of Health and various health authorities and associations have issued a number of publications promoting good health amongst the public. These include material on folic acid, smoking, alcohol, exposure to the sun, HIV and AIDS, trachoma, sexual health, health for men over 40 and childcare.

Publications in Northern Ireland

12.33 Publications include material on breast feeding and weaning, immunization, health promotion in schools, smoking, drugs, nutrition, physical activity, sexual health and health for men over 40.

Community programmes in Scotland

12.34 Current initiatives in Scotland include:

- a major review of services for people with a learning disability with recommendations relating not only to health and community care but also to education, employment, leisure and recreation;
- a new emphasis on support for carers though a *Strategy for Carers* and increased recognition of their contribution to community care; and
- the increasing importance being given to older people in studies for community care.

Publications promoting good health in Wales

12.35 Publications for the improvement of health which have been issued in Wales include the following:

- *Welsh Network of Healthy School Schemes. Possible School Activities.* This publication has been produced to support schools which are part of local Healthy Schools Networks. It provides ideas for schools to consider as they make their own individual plans for improvement. Local schemes will be able to apply for accreditation within the Welsh Network of Healthy School Schemes.

- *Burning Issues*. This recently launched publication looks at smoking as a social issue, and is designed to be used within a variety of subjects in the curriculum - particularly English, Welsh, and personal and social education. The pack contains modules aimed at all the year groups in secondary schools. Three copies will be distributed to every secondary school in Wales with the help of local contacts.

- *The Health Promoting Hospital: A Good Practice Guide*. This publication launched in 1998 looks at the development of hospitals as health promoting organizations, and is designed to encourage hospitals to improve the range and quality of their activity in this field. The Guide can used as a self-audit tool and as an agenda for future action. Hospitals can apply for accreditation as a Health Promoting Hospital within the network of Health Promoting Hospitals.

- *Corporate Health: Corporate Action*. This resource pack is designed to encourage employers in both the public and private sectors to develop workplace health promotion programmes. The publication sets out the case for corporate health and provides guidance on the planning and implementation of workplace based schemes. The pack includes a proforma staff health needs questionnaire. Employers can apply for the Wales Corporate Health Standard, which is awarded for two years at either bronze, silver or gold standard.

ARTICLE 13: EDUCATION

Government's commitment to education

13.01 Education is a priority for the Government which is committed to the attainment of various learning targets by the year 2002. In 1999/00, the proportion of government spending which was allocated to education was 11.9 per cent, of which:

- 7.5 per cent was devoted to early years, primary and secondary education;

- 1.6 per cent to further education;

- 1.6 per cent to higher education;

- the remaining 1.2 per cent is accounted for by student support and other educational expenditure.

In 2001/02, 12.5 per cent of government spending will be allocated to education. Education spending is set to rise from £49,460 million in 2001/02 to £57,700 million in 2003/04, a rise of 5.4 per cent a year in real terms over this three year period. This will boost education's share of GDP from 4.7 per cent in 1996/97 to 5 per cent in 2001/02 rising to 5.3 per cent in 2003/04.

Developments in policies affecting education (including lifelong learning) and the provision of educational services over the last four years in the component parts of the United Kingdom are set out below.

Human Rights Act 1998

13.02 The right to education is one of the rights recognized by the Human Rights Act 1998.

England

National Learning Targets

13.03 In October 1998, the Government announced new National Learning Targets for England to be achieved by the year 2002 as follows:

- at age 11, 80 per cent of pupils to reach the expected standard for their age in literacy and 75 per cent to reach the standard in numeracy;
- at age 16, 50 per cent of children to achieve five higher grade passes in the General Certificate of Secondary Education (GCSE); 95 per cent to achieve at least one GCSE;
- by age 19, 85 per cent of young people to achieve National Vocational Qualification (NVQ) level 2 or equivalent qualification;
- by age 21, 60 per cent of young people to achieve NVQ level 3 or equivalent qualification;
- 50 per cent of adults to achieve NVQ level 3 or equivalent qualification;
- 28 per cent of adults to achieve NVQ level 4 or equivalent qualification;
- a 7 per cent reduction in non-learners;
- 45 per cent of medium sized or large organizations and 10,000 small organizations to be recognized as "Investors in People". ("Investors in People" is a national standard for improving business performance through the development of people.)

School buildings

13.04 Over the period 1999 to 2002 some £5.5 billion is being invested in school buildings, more than twice the amount that was planned in 1997.

EARLY LEARNING

Sure Start

13.05 *Sure Start* is a programme designed for families with children under age four. It aims at working with families to promote the physical, intellectual, social and emotional development of pre-school children, particularly those who are disadvantaged, to ensure that they are ready to thrive when they get to school. In its educational aspects it aims to provide play facilities and early educational services for children under age four. It is intended to develop 250 *Sure Start* projects within the next three years; and £452 million has been set aside for this purpose. The Government announced 60 "Trailblazer" areas in January 1999.

Early Excellence Centres

13.06 The Government is also piloting a programme of Early Excellence Centres (EECs) in order to develop models for high quality, integrated, child and family oriented early years services. The Government proposes to create at least 25 EECs, and up to 40 if resources permit; so far 21 are in place. EECs provide a range of services for young children and their families, which can include: integrated nursery education and childcare throughout the year and throughout the working day; support and education for parents; close working with health visitors and other community health services; training for early years workers; and information on early years services. EECs will develop as beacons of excellence which can be replicated elsewhere. They have a key role to play in disseminating good practice and helping raise standards.

Early Years Education

13.07 In May 1997, the Government announced the abolition of the nursery education voucher scheme and its replacement by a system of planning early years educational provision through local Early Years Development and Childcare Partnerships. These partnerships bring together representatives of all those with an interest in childcare to plan early education and childcare provision (*Early Years Development and Childcare Plans*). They include local education and social services departments, representatives of voluntary and private providers of nursery schools and play groups, Training and Enterprise Councils (TECs), employers, parents and others.

13.08 Since September 1998, all four year olds have been guaranteed a free early education place (two and a half hours for five days during 33 weeks) for the three terms before they reach compulsory school age, where their parents want it. Since June 1999, it has been a statutory duty, under the School Standards and Framework Act 1998, for Local Education Authorities (LEAs) to secure early education places for four year olds in accordance with their *Early Years Development and Childcare Plan*.

13.09 Additionally, the Government set aside £390 million over the following three years to fund the expansion of early education places for three year olds. The aim is to double to 66 per cent the proportion of three year olds with a free early education place by 2002 by creating 190,000 new places. The expansion started in the 57 local authority areas with greatest social need in September 1999, planned through *Early Years Development and Childcare Plans*. From April 2000, funding has been distributed across all LEAs.

13.10 Early years education takes place in nursery schools and classes, reception classes in primary schools, private day nurseries and play groups. In the summer of 1999, 74 per cent of four year olds in free places were attending LEA maintained nursery schools and classes and primary school reception classes, 1 per cent were in day nurseries, family centres, etc. and 23 per cent were in private and voluntary day nurseries, pre-schools and play groups.

13.11 Until September 2000, providers of government funded early years education were required to have an education programme which helped children progress towards achieving *Desirable Learning Outcomes*. These *Outcomes* have been replaced by *Early Learning Goals* which mark the start of a new Foundation Stage for the early years, covering children from the age of three to the end of the primary school reception year, with new early learning goals which the majority of children will achieve at the end of the reception year. (At that stage, some children will be almost six year old.) The new goals focus on developing key learning skills such as listening, speaking, persistence, concentration and cooperation as well as developing early literacy and numeracy.

13.12 Providers of early learning are inspected by the Office for Standards in Education (OFSTED) to ensure quality. OFSTED has inspected places for three year olds since September 1999. Providers must also have a qualified teacher. The Department for Education and Employment (DfEE) is making available through its Standards Fund money for the training of staff involved in providing funded nursery education.

STATE SCHOOLS

Organization

13.13 The Schools Standards and Framework Act 1998 (a copy of which is at Appendix AA) established a new framework for publicly funded schools. The new categories of school are community schools (formerly LEA funded county schools), foundation schools (formerly grant maintained schools funded by central government) and voluntary schools (established by church or other bodies and mainly funded by LEAs). Foundation schools will now receive their funding from LEAs like community and voluntary schools. Schools will continue to be run by boards of governors who will be responsible for school budgets (see below) and for staff appointments and dismissals.

Education Action Zones

13.14 The School Standards and Framework Act introduced Education Action Zones (EAZs) to raise standards in areas of deprivation in new and innovative ways. An EAZ is typically made up of two or three secondary schools with their associated primary schools and provision for special educational needs (SEN); and they work with a range of partners in the public and private sectors. They are based in both urban and rural areas. Each EAZ will run for an initial period of three years and, in return for setting challenging targets for improvement across the zone, will receive up to £1 million per year in additional support from DfEE and the private sector. There are 25 EAZs in existence under a first round of applications and a further 48 zones are being developed in a second application round.

13.15 In addition to the EAZs referred to in the preceding paragraph, small EAZs have been established as part of the *Excellence in Cities* initiative. Six large inner city conurbations have formed partnerships to develop action plans for radically improving inner city education. A small EAZ will comprise a single secondary school and associated primary schools and will receive up to £350,000 per annum in public and private funds. It is expected that up to 50 new small EAZs will be established as part of this initiative.

Establishment of new schools proposed by minority promoters

13.16 Since 1944, it has been open to any person or voluntary body of any faith or denomination to make proposals for the establishment of a new school to be maintained by an LEA, whether or not the school already exists as an independent school. The Secretary of State considers all such proposals on their merits against the background of educational, organizational and financial criteria. Since May 1997, the Secretary of State has approved a number of proposals, including those for new Muslim primary schools, Jewish primary schools and primary and secondary Sikh schools. Such proposals may continue to be made but, under the School Standards and Framework Act, they will be decided upon locally by a School Organization Committee representing local education interests or, if the Committee is unable to reach a decision, by an adjudicator appointed by the Secretary of State. The Committee and the adjudicator are required to consider proposals on their merits and with regard to guidance issued by the Secretary of State.

Local referenda on grammar schools

13.17 Grammar schools have a selective admissions policy based on academic ability. In order to let parents decide on the future of the existing 164 grammar schools in England, provision is made by the School Standards and Framework Act for the holding of a ballot on the future admission arrangements of grammar schools. The procedure is initiated by a petition for the holding of a ballot signed by 20 per cent of the eligible electorate. A ballot is then held and a simple majority of the eligible electorate decides whether the school maintains its existing admission arrangements or moves to admission without reference to high academic ability. In the latter case, the admissions authority of the school is required to bring forward plans for non-selective admissions within set time scales. Depending on local circumstances, the eligible electorate is either drawn from the parents of school age children in the local authority area or from parents of children at schools which feed pupils into the grammar schools.

Funding

13.18 Since April 1999, there has been a change in the system for funding maintained schools as part of the changes introduced in the Schools Standards and Framework Act. The new system, known as *Fair Funding*, gives a higher level of delegation over expenditure to schools. Each LEA is required to establish a Local Schools Budget under which it retains a portion of the funding it receives for education from central government funds in order to discharge its own responsibilities and distributes the remainder amongst all its maintained schools according to a formula which is based on pupil numbers but may also reflect other factors. The money so allocated is intended to cover day to day running costs as determined by the school's governors. The *Fair Funding* arrangements also permit LEAs in making their allocations to take into account that small schools have higher costs per pupil; (central government funding also takes account of the additional costs of sparsely populated areas).

Parental contributions

13.19 It is a principle of publicly funded education that the education provided wholly or mainly during school hours should be free. However, schools may ask parents for a voluntary contribution towards any activity which takes place during school hours. The contribution must be genuinely voluntary and the children of parents who are unable or unwilling to contribute may not be discriminated against. Where there are insufficient voluntary contributions to make the activity possible, and there is no way to make up the shortfall, it must be cancelled. There is an exception for instrumental music tuition where a charge may be made for up to and including four pupils unless the tuition forms part of the syllabus for a prescribed public examination or is required by the National Curriculum, in which case no charge may be made.

Private Finance Initiative and Public Private Partnerships - Schools

13.20 The Private Finance Initiative and Public Private Partnerships (PFI/PPP) was launched in 1992 to promote partnerships between the public and private sectors on a commercial basis. In education, private sector expertise and innovation can improve the facilities offered by schools. The private sector can provide and manage much needed new buildings and facilities and deliver non-core services such as information technology, catering and facilities management cost effectively. This can free time and resources to enable schools to concentrate on their core business - teaching. Eight major school PFI/PPP deals have already been signed with a total capital value of over £98 million. The projects cover a wide range of new and replacement schools, information technology based projects, school meals, refurbishment, repairs and maintenance.

13.21 In addition to the £130 million made available in 1998/99, some £350 million of PFI credits are being made available in each of the financial years 1999/00, 2000/01 and 2001/02 to support further schools projects. Over 29 further projects covering some 392 schools have already been allocated PFI credits. These projects range from new or replacement schools to repairs and refurbishment and to energy conservation. The DfEE is also encouraging grouped projects - grouping creates more opportunities for the private sector to be innovative and can increase value for money. In 1997/98 a new PPP pilot scheme was launched under the New Deal for Schools to encourage large grouped projects in the schools sector. Five successful pilots were announced in April 1998: Cornwall, Kirklees, Sheffield, Stoke-on Trent and Tower Hamlets. They cover some 230 schools and have a total estimated capital value of some £220 million. Two further PPP schemes funded under New Deal for Schools have been signed involving 14 schemes covering approximately 20 schools.

Education Maintenance Allowance

13.22 In order to provide an incentive for young people aged 16 to 19 to remain in education, an Education Maintenance Allowance was introduced in September 1999 in 15 pilot areas. It provides up to £40 a week to young people from less well-off families who stay in education with retention and achievement bonuses on top. It is intended to monitor, and to extend and vary, the pilot schemes (one will be introduced for young people in areas with poor transport) to see what difference the scheme makes and which model best suits the needs of young people.

Rural schools

13.23 The position of rural schools was described in the Third Report. It is Government policy that small village schools should be retained and that there should be a presumption against the closure of rural schools. From 1 September 1999, the procedure on a proposal for the closure of a school is as follows. People in the local community must be consulted and will have the opportunity to object to the proposal. The decision on closure will, in general, be taken by the LEA unless there are objections or the proposal is connected with other proposals which need to be decided by the local School Organization Committee (SCO). In such cases the matter will be decided by the SCO or, if the SCO cannot agree, by an independent adjudicator appointed by the Secretary of State. Guidance from the Secretary of State under Schedule 23 to the School Standards and Framework Act to SCOs and adjudicators make clear the factors to be taken into account in deciding on proposals.

Traveller education

13.24 Government policy is that Traveller children should be given the same opportunities as all other pupils to profit from what schools can offer them. The duty of LEAs to ensure that education is available for all children of compulsory school age applies whether families are residing in the area permanently or temporarily and therefore includes Traveller children. Where LEAs and schools are faced with significant extra financial burdens in responding to the particular educational needs of Travellers, they may benefit from additional specific grant support payable under the Education Act 1996. In the current financial year this grant is providing some £10.7 million across about 3,400 English schools in over 120 LEAs. The grant mainly supports the provision of specialist peripatetic teachers.

13.25 The grant aims to improve levels of school attendance and achievement among Traveller children including their full integration alongside other children in mainstream education. The programme is particularly successful at primary level. An OFSTED report in April 1996, *The Education of Travelling Children*, gives a valuable picture of provision funded through the programme in England. It shows that the grant is cost effective and well managed and is making a real impact in improving attendance and achievement. It highlighted the particularly acute levels of educational under-achievement among Gypsies and noted, for example, that only about 15 per cent of Traveller children progress to Key Stage 3 and 5 per cent to Key Stage 4. The report also expressed grave concern at the continuing poor levels of secondary attendance among Traveller children and that disproportionate numbers are excluded despite their behaviour generally being good.

Statistics

13.26 The January 2000 (provisional) statistics for schools, pupils and teachers in England were as follows:

- Schools: There were some 25,918 schools (nursery, primary, secondary, special, pupil referral units, city technology colleges and independent schools). Of these, 516 were nursery schools, 18,158 were primary schools (one of which was an all boys school and one an all girls school), 3,550 were secondary schools (of which 188 were all boys schools and 228 were all girls schools), 1,197 were special schools and 2,187 were independent schools.

- Pupils: Across all schools there were 8.34 million full - time and part-time pupils. Of these, 46,444 were in nursery schools, 4,435,361 were in primary schools, 3,181 813 were in secondary schools, and 96,570 were in special schools. The 8.34 million was made up of 980,362 pupils under five, 3,866,507 aged five to ten, 3,095,406 aged 11 to 15 and 401,593 aged 16 and above. 90 per cent of pupils were taught in maintained nursery, primary and secondary schools. Of the 4,278,131 full-time equivalents in maintained primary schools 2,184,802 were boys and 2,093,329 were girls. In secondary schools, out of a total of 3,181,813, 1,603,290 were boys and 1,578,523 were girls.

- Teachers: 375,364 full-time equivalent teachers were employed in maintained nursery, primary and secondary schools in January 2000. Of these 1, 522 worked in nursery schools, 185,467 in primary schools, and 188,375 in secondary schools. There were 14, 982 full time equivalent teachers employed in special schools.

Admissions policy

13.27 The School Standards and Framework Act sets out new arrangements whereby parents may express their preference for the school at which they wish their children to be educated. These seek to ensure that admission arrangements for all schools are clear, fair, open and objective and work for the benefit of parents and children. It is, in principle, unlawful for an educational body to discriminate in its admissions policy on grounds of sex, but single sex establishments may be established if both sexes have access to single sex establishments in line with the demand for them. A new Code of Practice on School Admissions, which came into force on 1 April 1999, confirms that LEAs and governing bodies have an overriding duty (with some exceptions) to comply with parents' declared preferences as to their choice of school. School governing bodies and LEAs are also required to publish information for parents about local schools so that parents can make an informed choice. The Admissions Code encourages local admissions procedures which are well co-ordinated and easy to follow, with the minimum of bureaucracy and maximum opportunity for parents to have their school preference met.

13.28 For many years, parents have been able to appeal to an independent committee where they are dissatisfied with the school place offered to them or they have been refused admission to the school of their choice. For all appeals lodged after 1 September 1999, the 1998 Act provides for appeal "panels" of not more than five members which will be completely independent from the LEA or school governing body involved. The role of the panel is to weigh the parents' case against that put forward by the school admission authority for refusing admission, and to reach a conclusion on whether the child should be admitted, having taken account of all the information submitted to it. A School Admission Appeals Code of Practice gives guidance on the new arrangements.

Home-school agreements

13.29 From September 1999, all maintained schools were required to adopt a home-school agreement, and to invite all registered parents of pupils of compulsory school age to sign the agreement as soon as reasonably practicable after that date. The agreement must be arrived at in consultation with parents, and sets out the expectations that the school and the parents have of one another. It may also include a section for the pupil to sign, at the discretion of the governing body. The agreement must cover:

- the standard of education that the school will provide;
- the ethos of the school;
- regular and punctual attendance;
- discipline and behaviour;
- homework; and
- the information schools and parents will give to one another.

The agreement is not a legally binding document, and is intended to foster and embody a cooperative rather than a combative relationship between parents and schools. An OFSTED survey carried out before the law came into force showed that agreements could improve behaviour and pupil commitment as well as providing a good starting point in discussions when difficulties arise. The process of finding out and discussing what parents, pupils and staff want from one another was also found to be very valuable.

Literacy and numeracy

13.30 The targets set for literacy and numeracy of primary school children are set out in paragraph 13.03 above. The Government has provided a significant investment to support literacy and numeracy programmes - £60 million for the literacy programme in 1998 and £60 million for both programmes in 1999. The basic elements of the programmes include:

- from September 1998, primary schools introduced a literacy hour each day and from September 1999 a mathematics lesson for up to an hour a day; specific targets were agreed with LEAs and schools;

- professional development for teachers, including support from some 600 LEA appointed literacy and numeracy consultants, and specific training of nearly 1,800 leading mathematics teachers to teach demonstration lessons in best practice for primary school teachers.

13.31 Other elements in the strategies to improve literacy and numeracy are:

- the *National Year of Reading* (1998) (continued in following years under the title *Read On*) which includes a comprehensive programme bringing together all sectors of the community to back up teachers' efforts in the classroom. Both the programme to raise literary standards and the *National Year of Reading* were supported by *Books for Schools*, a programme which provided £115 million for books to encourage children to read;

- *Maths Year, 2000* which aims to enlist support throughout the whole community for mathematics;

- summer literacy schools (900 in 1999) and summer numeracy schools (approximately 300 in 1999) to provide extra tuition for children with poor literacy or numeracy skills who are about to start secondary schooling;

- an *Additional Literacy Support Programme* which started in September 1999 with funding of £22 million to give teachers and classroom assistants a training programme and teaching materials to help pupils who have not had the benefit of the *Literacy Hour*, and *Year 6 Revision Classes*, and a funding in 1999 of £48 million to provide additional literacy and numeracy teaching in or out of school hours to Year 6 pupils who might fail to reach the expected standard for their age and to provide appropriate training and guidance to teachers.

Class sizes

13.32 The Government aims to reduce class sizes for five, six and seven year olds to 30 or below. The School Standards and Framework Act places a duty on LEAs to meet that aim by September 2001. The infant class size policy is implemented through plans drawn up by LEAs and approved by the Secretary of State. The plans include provision for a net extra 12,000 places in popular schools with high standards. A total of £620 million government money is being made available to implement this policy; this is enough to provide 6,000 additional teachers and 2,400 additional classrooms. The funding was designed to ensure that the policy is implemented in virtually all schools by September 2000, 18 months earlier than the original government target.

13.33 Latest figures show that in January 2000 only 177,000 five, six and seven year olds remained in infant classes with over 30 pupils. This represents 11 per cent of all infant pupils. In January 1998 the figure was 485,000 or 29 per cent.

Sports and physical education in schools

13.34 The Government attaches great importance to sport and physical education in schools and the part it has to play in raising standards, promoting excellence and laying the foundation for a healthy and active lifestyle. The new National Curriculum will safeguard the position of physical education and allow for more choice at ages 14 to 16. The DfEE is working with the Department for Culture, Media and Sport (DCMS) and others on a range of initiatives to enhance physical education and sport in schools, including proposals for *Active School Co-ordinators*. These Co-ordinators will work closely with physical education teachers and others in the field to enhance sport and physical education provision in schools, encourage inter-school participation and competition, and develop sporting links in local communities. DCMS and the National Lottery provide funds to the organizations *Sport England* and *UK Sport* which provide expertise, advice and support for sport in schools. The Government is also protecting school playing fields and providing £1.1 billion for capital works in schools, including improvement to sports facilities. New legislation will require all State schools to seek the consent of the Secretary of State to dispose of playing fields. In addition, 34 specialist sports colleges have been set up, and more will follow, providing high quality facilities not just to their own pupils but to those at other schools in the area.

Specialist schools

13.35 Since 1994, a network of specialist schools focusing on technology, science and mathematics, modern foreign languages, the arts and sport has been established across England. These schools, known as Technology, Language, Arts or Sports Colleges, are existing secondary schools in the maintained sector which, in addition to teaching the National Curriculum, place an emphasis on teaching in their chosen specialism to bring about whole school improvement. The programme was modified in 1997 to require specialist schools to spread good practice and share expertise with other, non-specialist, schools and their wider communities. The network of specialist schools, which now includes a number which cater specifically for pupils with special needs, is now spread across rural as well as urban areas. Under the *Excellence in Cities* programme, the Government plans to designate more specialist schools in some of the major inner-city conurbations which suffer from high levels of social and economic deprivation.

International Baccalaureate

13.36 The International Baccalaureate (IB) is a private, non-governmental organization, recognized by the Council of Europe and with consultative status with UNESCO. It has a programme of study ranging from a primary year's programme for 3 to 12 year olds to a diploma programme which is a two year pre-university course designed to facilitate the mobility of students, promote international understanding, and provide a widely accepted qualification. The IB is offered in 31 schools and colleges in the United Kingdom, 13 of them State schools. The institutions are individually assessed and approved by the International Baccalaureate Office which is based in Geneva and administers the examination through an International Examining Board. The IB provides a broader and more varied general education than the National Curriculum. Strong emphasis is placed on the ideals of international understanding, responsible citizenship and lifelong learning, and on fostering tolerance and inter-cultural understanding among young people.

National curriculum

13.37 The National Curriculum is compulsory for all pupils between the ages of 5 and 16 in maintained schools. The original National Curriculum was introduced in stages between 1989 and 1992. A review of the National Curriculum in 1999 produced a revised version which became statutory from September 2000. Under the current National Curriculum pupils must be taught the following subjects:

Key Stages 1 and 2: English, mathematics, science, design and technology, information and communication technology, history, geography, music, art, and physical education.

Key Stage 3: All the above, plus a modern foreign language.

Key Stage 4: English, mathematics, science, information and communication technology, design and technology, a modern foreign language and physical education.

Since September 1998, schools have had the power to disapply one or two subjects at Key Stage 4 out of science, design and technology and a modern foreign language to put in place a programme of work related learning for those pupils for whom they deem it appropriate, in particular for those who are disaffected. From September 2000, this provision has been widened so that pupils making less progress than their peers, and pupils with strengths or talents in particular areas, can disapply one or both of design and technology and modern foreign languages in order to focus on their individual needs.

Foreign languages

13.38 Until September 2000, 19 modern foreign languages were recognized as National Curriculum subjects: eight working languages of the EU (Danish, Dutch, French, German, Modern Greek, Italian, Portuguese and Spanish) and 11 other languages of cultural and commercial importance (Arabic, Bengali, Gujerati, Hindi, Japanese, Mandarin or Cantonese Chinese, Modern Hebrew, Panjabi, Russian, Turkish and Urdu). Schools were required to offer pupils at least one of the European Union languages, and they were free also to offer non-European Union languages. Pupils then chose from the languages on offer, subject to any resource and timetable restraints. From September 2000, all modern foreign languages are recognized as National Curriculum subjects. Schools are still required to offer at least one official language of the EU.

Religious education

13.39 All maintained schools are required to provide religious education for their pupils. In community schools and foundation schools without a religious character, religious education is provided in accordance with locally agreed syllabuses. These syllabuses are required to reflect the fact that the religious traditions in the United Kingdom are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in the country. All maintained schools are also required to provide a daily act of collective worship for all their registered pupils. Such worship must be wholly or mainly of a broadly Christian character. Parents have the right to withdraw their child from part or all of religious education and collective worship.

Education for family life - sex education

13.40 Under section 352 of the Education Act 1996, all maintained secondary schools must provide sex education, including education about HIV/AIDS and sexually transmitted diseases. Elements of sex education also appear in the science component of the National Curriculum. Primary schools must consider whether they will provide sex education beyond that which is included in the science component of the National Curriculum and keep a written record of that decision. All schools which provide sex education must ensure that their provision encourages pupils to have due regard to moral considerations and the value of family life. Schools are to draw up a policy detailing its content and organization and make that available to parents and, in consultation with parents, to decide the content and organization of programmes and the materials used. Parents have the right to withdraw their children from sex education outside the National Curriculum but OFSTED reports that very few do so. Non-statutory guidelines placing sex and relationships education within a broader national framework of personal, social and health education, which includes teaching about parenthood and the value of family life, have been developed as part of the review of the National Curriculum in 1999.

Citizenship and human rights

13.41 Citizenship education is to be introduced as a compulsory part of the National Curriculum for secondary school pupils from 2002. This will include knowledge about the nature of democratic government, the legal and human rights underpinning society and the rights, duties and responsibilities of citizens. Pupils may already study the United Nations Charter and the Declaration of Human Rights in the history component of the National Curriculum as part of a compulsory unit on the history of the twentieth century world. All pupils are taught the impact of the two world wars on the United Kingdom, and the United Nations is most likely to feature here.

Careers

13.42 The 1997 Education Act (sections 43 to 45) requires that all publicly funded schools provide a programme of careers education to all pupils in Years 9 to 11 and individual access to guidance on careers. It also requires schools to make information about careers and job opportunities available to pupils. This is a statutory requirement but outside the terms of the National Curriculum. Schools are supported by careers services in developing their programme, in the light of guidance produced by the QCA and the DfEE. Careers education may be provided in a number of different ways, such as through separate lessons, through tutorial time or, most commonly, as part of a broader programme of personal, social and health education. These requirements complement the provision of careers guidance and information by careers service companies, which discharge the Government's duty to provide "careers services" to those in full time education (except in higher education) and in relevant part time education.

Work experience

13.43 The *Excellence in Schools* White Paper published in July 1997 emphasized the importance of work related learning and encouraged schools to provide high quality work experience for all pupils. Building on existing practice, DfEE has set an objective of at least two weeks work experience for all eligible pre-16 year old pupils from the start of Year 10; more than 95 per cent of pupils undertake this. Guidance is given by QCA and DfEE to help schools and providers ensure that it is integrated into the curriculum and of high quality. New regulations also allow schools to set aside aspects of the National Curriculum for some Key Stage 4 pupils in order to offer them wider opportunities for work related learning.

National Grid for Learning

13.44 The Government, in cooperation with the telecommunications industry, has established a National Grid for Learning based on the Internet. It provides both training and curriculum materials for teachers and learners which will be available to schools, colleges, libraries, workplaces and homes. It came into operation in late 1998, and it is aimed to have all schools connected with the Grid by 2002.

School Inspectorate and school standards

13.45 The Schools Inspections Act 1996 requires that all maintained schools be subject to regular external inspection with a published report. Inspection is intended to identify schools' strengths and weaknesses, to help them improve, and to strengthen the accountability of schools to parents and the communities they serve. Schools are inspected at intervals of between two and six years dependant on their individual circumstances and consistent with a principle that the intervention should be in inverse proportion to success.

13.46 Where an inspection identifies serious weaknesses in a school, the school will be required to set targets to deal with the causes within one year and will be re-inspected within two years. Where an inspection identifies a school which is failing to provide an acceptable standard of education for its pupils, special measures may be required to ensure that an acceptable standard is achieved or the school may be closed and a new school opened on the site (*Fresh Start*), or the school may remain closed.

Pupil assessment

13.47 Every summer all children aged seven, 11 and 14 take nationally set tests in English and mathematics, and 11 and 14 year olds take tests in science as well. In addition, teachers assess children taking account of their performance across the whole programme of study in each assessed subject. Optional tests are also available in English and mathematics for children aged eight, nine and ten. The information provided by the tests and teacher assessment helps teachers to plan future learning and to identify the strengths and weaknesses of individual pupils. The National Curriculum assessment results provide a comprehensive source of information on the progress of all pupils.

Special education needs

13.48 Part IV of the Education Act 1996 is concerned with special educational needs (SEN). It consolidates the provisions of the Education Act 1993 and improves arrangements for identifying, and providing for, children with SEN in England and Wales. The Act reaffirms the principle that pupils with SEN should be educated in mainstream schools wherever it is appropriate to do so and taking account of the wishes of their parents.

13.49 In October 1997, a Green Paper, *Excellence for All Children: meeting Special Educational Needs*, reflected the Government's commitment to raising standards for children with special educational needs as an integral part of national policies for improving standards for all. Following extensive consultation on the Green Paper, and in the light of advice from the National Advisory Group on SEN, *Meeting Special Educational Needs: a Programme of Action*, (attached as Appendix BB) was published in November 1998. This sets out the practical steps that will be taken to support and promote developments in SEN over the next three years. The Action Programme also stated that the Code of Practice on the Identification and Assessment of SEN would be revised in the light of experience since 1994 to build on good practice. The revised Code came into effect during the academic year 2000/01.

SEN Tribunal

13.50 The SEN Tribunal was established on 1 September 1994 and currently operates in accordance with sections 333 to 336 of the Education Act 1996, and associated regulations. The Tribunal hears appeals by parents against decisions taken by LEAs in England and Wales in relation to their children's special educational needs. It is independent of both central and local government. The Tribunal operates under the direction of a President, appointed by the Lord Chancellor. It is subject to supervision by the Council on Tribunals and appeals on questions of law lie to the High Court. Tribunal hearings are held at locations convenient to the parents. Each appeal case is heard by a panel consisting of a legally trained chairman and two lay members who have knowledge and expertise of SEN or local government. The Lord Chancellor appoints the chairmen, and the Secretary of State for Education and Employment appoints the lay members.

Ethnic minorities

13.51 Paragraphs 265 to 269 of the Third Report set out the Government's policies and programmes with regard to the education of ethnic minority pupils. The Home Office grant referred to in that Report has now been replaced (April 1999) by the *Ethnic Minority Achievement Grant* issued by DfEE. This new Grant is a substantial programme involving over £430 million over three years. It is intended to provide equality of opportunity for all minority ethnic groups. In particular it aims to meet the needs of pupils for whom English is an additional language (EAL - 8.2 per cent of pupils in primary schools and 7.8 per cent of children in secondary schools) and to raise standards of achievement for those minority ethnic groups who are particularly at risk of under-achieving. The Grant devolves greater responsibility to schools for the appointment and management of staff, the employment of specialist teachers and bilingual classroom assistants and provision of appropriate teaching materials. It also provides flexibility to spend resources on in-service teacher training, both for specialist and mainstream staff, including supply cover and training materials. Schools are required to develop whole school policies to address the need of minority ethnic pupils and EAL pupils. There is a greater emphasis on raising achievement, and local authorities are required to monitor the achievement of minority ethnic pupils and set targets for improvement.

Asylum seekers

13.52 The duty of LEAs to ensure that education is available for all children of compulsory school age applies irrespective of a child's immigration status or right of residence in a particular location, and includes children of displaced persons, asylum seekers and refugees. LEAs receive funding for asylum seekers in the same way as for other pupils on the school roll through the Standard Spending Assessment system. Asylum seeker children may also benefit from the *Ethnic Minority Achievement Grant.*

Truancy and exclusion from school

13.53 Recent statistics are as follows:

- the percentage of half-days missed due to unauthorized absences from secondary schools in 1998/99 was 1.1 per cent, the same as in 1997/98. The figures for 1995/96 and 1996/97 were 1 per cent. The absence rates were lowest in independent schools and highest in special schools;

- in 1998/99, there were 10,404 permanent exclusions from primary, secondary and special schools in England, a decrease of 1,894 from the previous year. This represented 0.14 per cent of the school population. 82.8 per cent (8,613) of pupils excluded were boys.

Truancy and exclusion - policy

13.54 The Government is committed to reducing truancy and exclusion levels by one third by 2002. The Social Exclusion Unit's report on *Truancy and School Exclusion* (1998) set out the strategy for reducing levels of truancy and exclusion in England and the Government's *Social Inclusion: Pupil Support Grant* will be providing nearly £500 million over three years to support effective action against truancy and exclusion. Guidance on *Social Inclusion: Pupil Support* (Circular 10/1999) covers attendance, behaviour, exclusion, education out of school and re-integration. Other measures include:

- requiring LEAs, after consultation with DfEE, to set targets to reduce levels of truancy and exclusion (both permanent and fixed period) nationally by one-third by 2002; and

- providing more resources focused on preventive work with children at risk of truanting or being excluded.

Measures specifically aimed at reducing the level of ethnic minority exclusion include:

- promoting community mentoring as part of the work to raise the achievement of ethnic minority pupils;
- publishing more information on ethnic minority exclusions; and
- carrying out annual special inspections of schools with high levels of exclusion, including those disproportionately excluding particular groups such as ethnic minority pupils.

A copy of the Guidance is at Appendix CC.

13.55 Further measures on truancy and exclusion are:

- the police have new powers to pick up truants found in public places and return them to school. This is intended to strengthen community based initiatives to tackle truancy and may help to stop children becoming victims of crime or abuse;
- new regulations will make it easier for schools to disapply or modify the National Curriculum and put in place a range of opportunities for work related learning. The Social Exclusion Unit Report acknowledges that these measures may be useful in re-engaging pupils who are at risk of disaffection;
- the Guidance referred to above makes it clear that exclusion should normally only be used as a last resort and sets out very clearly the steps that should be taken, and the alternatives that should be tried, before a pupil can be excluded;
- the parent of an excluded child has the right to be heard at proceedings before the governors' Disciplinary Committee for reviewing school exclusions; the Committee may also hear from the excluded child himself if all parties agree this is appropriate;
- the Government is committed to ensuring that by 2002 all pupils excluded from schools for more than three weeks receive full-time and appropriate education;
- LEAs are encouraged to speed up and support the reintegration of excluded pupils up to 14 years old into mainstream schooling. But it is recognized that work related learning or education in a further education college may be more appropriate for some 14 to 16 year olds and LEAs are encouraged to consider that option.

Corporal punishment

13.56 Section 131 of the School Standards and Framework Act 1998, which came into force on 1st September 1999 makes it unlawful to inflict corporal punishment on pupils in maintained and non-maintained schools or on children receiving nursery education.

INDEPENDENT SCHOOLS

Assisted Places Scheme

13.57 In May 1997, the Government announced the phasing out of the Assisted Places Scheme which provided for a number of academically able children from low income families to benefit from selective independent education at certain private schools. The Education (Schools) Act 1997 came into force on 1 September 1997 and provided for no new assisted places after the end of the 1997/98 academic year. Existing assisted place holders keep their places until the end of their current phase of education; those receiving secondary education to age 18 and the taking of "A levels"; those receiving primary education to the end of primary schooling, normally at age 11, unless the Secretary of State exercises discretion to extend the place for a further period. The Government is using the money saved to reduce infant class sizes in the maintained sector.

Music, Ballet and Choir Schools

13.58 The *Music and Ballet Scheme* was established in 1981 and supports exceptionally talented children at eight independent specialist schools in the United Kingdom. The Government is committed to maintaining the scheme while ensuring that quality is maintained and that value for money is obtained from the nearly £11 million invested in it. The smaller *Choir Schools Scholarship Scheme* provides for a number of choristers from less well-off backgrounds to be supported at Cathedral or Collegiate Choir Schools. Both schemes help maintain part of Britain's ballet, musical, choral and cultural heritage.

Independent/State School Partnerships

13.59 In November 1997, the Government announced the *Independent/State School Partnerships Grant Scheme*. Its aim is to bring schools from the maintained and independent sectors closer together, to raise standards and increase educational opportunities for their pupils and the wider community. By working together schools can share expertise, exchange good ideas and pool resources to enrich the curriculum. Funding of £6 million was made available for 1998/99, of which £0.25 million was provided by the Sutton Trust, an educational trust. This supported 47 partnership projects which covered all regions of the country and all areas of the curriculum. A further £1.6 million was made available for 1999/2001, the Sutton Trust contributing £0.1 million in each of the two years. This supported 56 partnership projects with one or two years of funding commencing in 1999, and will fund more projects commencing in 2000. Independent evaluation has found that the partnerships funded by the scheme are of high quality, and represent good value for the modest sums invested in them. They are achieving their specific objectives as well as providing a valuable resource from which other schools can learn.

13.60 Examples of independent/State school partnerships are:

- ***Wakefield Local Education Authority***

The Wakefield LEA partnership involves three State schools and two independent schools. The LEA co-ordinates a series of *Learning Experiences* which include an A

Level Art Workshop, an Able Performers Workshop, an Oxbridge Project and a Modern Languages Immersion Day. The management of each *Learning Experience* is assigned to a different group of teachers. The project was set up to encourage teachers across the maintained/private divide to work together, to understand each other's problems, to appreciate each other's strengths, and to develop *Learning Experiences* to bring their pupils together towards the same aims. This involved challenging the views of teachers and pupils in one sector about their counterparts in the other and encouraging an awareness of the strengths of teachers in both sectors.

- ***Chesham Park Community College and St Clare's, Oxford***

Chesham Park Community College, a Buckinghamshire secondary school, has worked with St Clare's, Oxford, a co-educational independent school. Their project focused on awareness training, preparation and accessibility of teaching materials to improve the curriculum for pupils who are non-native speakers. Both schools have a significant number of pupils for whom English is a second language and successfully adapted the *Language Through Learning TM* package used by St Clare's to suit their subject classrooms. Junior school colleagues have expressed an interest in making use of it too.

FURTHER EDUCATION

Facilities for further education

13.61 Further education is post-school education (other than higher education) suitable for people over 16 years old. It is provided by a variety of institutions, including sixth form colleges, tertiary and further education colleges and some higher education institutions, and by LEAs. A wide variety of academic and vocational courses are offered, often with an emphasis on improving the work skills of the participants or offering a second chance to those with limited educational attainment.

Participants

13.62 Participants in further education courses may be either full-time or part- time students, many combining their education with work. The participation rate for 16 year olds in full time education (further education and schools) in 1998/99 was 70.5 per cent of all 16 year olds, up from 51.5 per cent 10 years previously, and for 17 year olds was 58.2 per cent of all 17 year olds, compared with 35.5 per cent 10 years before. In 1998, over half of the 16 to 19 year olds participating in education were also part of the labour force. In 1999/00, there were 2,337,900 students (737,000 full-time and 1,600,900 part-time) in further education in England.

Future expansion

13.63 The Government remains committed to the expansion of further education in line with its commitment to achievement of the National Learning Targets referred to in paragraph 13.03 above. The 1998 Budget planned for a growth of an extra 700,000 students in further education between 1997/98 and 2001/02.

Students with learning difficulties or disabilities

13.64 The maintained further education sector is well placed to meet the needs of most students with learning difficulties or disabilities. Further education sector colleges can claim additional funding from the Further Education Funding Council for England (FEFC) to meet these students' additional needs; in 1997/98, there were at least 116,000 such funded disabled students in further education colleges. In a small minority of cases, however, such students may require more specialized education with care and learning support. The FEFC (which is responsible for funding further education) also has a duty to fund provision at independent specialist establishments for people over compulsory school age and under 25 who have learning difficulties or disabilities if it is satisfied that neither further nor higher education sector institutions can offer adequate facilities for such students, and that it is in the best interests of the person involved. In 1997/98 the FEFC funded some 2,000 such students to attend specialist colleges.

13.65 The FEFC's Learning Difficulties and/or Disabilities Committee published a report, *Inclusive Learning*, in September 1996. The report set out a programme for improved provision for students with learning difficulties or disabilities in further education and brought the concept of inclusive learning into focus. The inclusive learning approach involves avoiding the idea that the difficulty lies with the disabled student and adopts an approach which requires colleges to understand and respond to the individual student's needs. The report's recommendations were directed to the FEFC for implementation and many of the recommendations have already been implemented. This includes the FEFC's commitment of £5 million over three years (1997/2000) for staff development in inclusive learning.

HIGHER EDUCATION

Institutions of higher education

13.66 Following the enactment of the Further and Higher Education Act 1992, which enabled polytechnics to grant their own degrees and assume the status of universities, the main institutions of higher education in England are now:

- 91 Higher Education Funding Council for England (HEFCE) funded institutions with degree awarding powers;
- 38 HEFCE funded institutions without degree awarding powers;
- three private institutions which have degree awarding powers: the University of Buckingham, the Royal Agricultural College and Henley Management College;
- the Open University, which has provided distance learning for over one million people since its establishment in 1969 and is presently the United Kingdom's largest university with some 200,000 students.

The use of distance learning methods across the range of subjects is becoming increasingly common in all higher education institutions.

Computer networking

13.67 About 150 higher education and research sites have now access to SuperJANET, the United Kingdom's national broad band network for higher education and research and more are planned to do so in the future. The Government has provided significant capital investment for this network over the next three years in order to support developments in the infrastructure for communications and information technology, including improved links between higher education and further education institutions, to provide for the dissemination of high quality teaching materials.

Students

13.68 In 1998/99, about one in three young people entered full time higher education, compared with about one in eight in 1979. The number of mature students has also increased (over 25 per cent of students are now aged over 25 years of age) many of whom enter higher education through part time courses or through access courses designed for students without conventional entry qualifications. There are now 1,300 such access schemes in England. The Government has announced that it will create an additional 100,000 places in higher education by 2001/02.

Disabled students

13.69 People with disabilities have the same opportunity to apply to attend university as others, (there are no specialist universities for disabled students in the United Kingdom). In considering applications from disabled students, universities will take into account whether the institution has appropriate facilities to enable the applicant to undertake the course. There have been a number of initiatives taken to improve the position of disabled students as part of the policy of widening access. Over the past six years the HEFCE has spent £12 million supporting over 100 projects at nearly 90 higher education institutions. Disabled Students' Allowances of up to £10,250 per annum for non-medical helpers, £1,350 per annum for general help and £4,055 per course for specialist equipment (1999/00 figures) may be available to full-time first degree level students on a non-means tested basis. The number of first degree level students reporting a disability (from asthma, and partially sighted to wheel chair users and those requiring personal care support) on entry has been increasing year by year and has more than doubled from 31,000 in 1994/95 to 68,000 in 1998/99.

First degrees

13.70 Figures taken from the 1998 edition of the OECD's *Education at a Glance* show that the United Kingdom has the highest rate of first degree graduates as a percentage of the relevant age group within the EU and is amongst the highest for OECD countries. These figures also indicate that the United Kingdom higher education system has a high rate of successful completion compared to most other countries. Fifty-one per cent of graduates are women.

Postgraduates

13.71 The Government fully recognizes the importance of postgraduate education to both the research base and the United Kingdom's economic success. Postgraduate research and study have a vital contribution to make to lifelong learning, for example by ensuring that people are equipped with the skills and knowledge they will need to respond to the changes taking place in the increasingly competitive global economy and by providing opportunities for individuals to update their skills.

TABLE
of
Qualifications Obtained in English Higher Education Institutions by level, subject and year awarded

First Degree	1994/95	1995/96	1996/97	1997/98	1998/99
Medicine and Dentistry	4 192	4 493	4 516	4 606	4 435
Subjects allied to medicine	8 516	10 001	10 985	12 137	13 313
Biological Sciences	9 592	10 713	12 051	13 178	13 788
Veterinary Science	300	321	348	355	344
Agriculture and related subjects	1 379	1 631	1 764	1 740	1 780
Physical Sciences	11 216	11 406	11 777	10 932	10 960
Mathematical Sciences	3 380	3 335	3 120	3 302	3 647
Computer Science	7 057	7 863	7 974	8 715	8 976
Engineering and Technology	18 247	19 321	19 033	18 522	18 256
Architecture, Building and Planning	6 714	6 729	5 820	5 647	5 632
Social, economic and political studies	16 614	17 902	18 542	17 545	18 250
Law	8 013	8 702	8 309	8 281	8 441
Business and Administrative Studies	20 270	22 626	23 190	23 182	24 520
Librarianship and Information Science	1 964	2 324	2 673	2 730	3 006
Languages	13 139	13 699	13 967	13 746	13 305
Humanities	8 019	8 162	8 208	8 359	8 174
Creative Arts and Design	12 868	14 740	15 983	17 066	17 780
Education	11 111	12 217	11 447	11 461	10 862
Combined	33 416	18 296	19 039	17 330	31 623
Combined Cross Modular	190	13 693	12 720	14 071	
Invalid code supplied	0	2	0	2	
Total	196 197	208 176	211 466	212 907	217 092
Postgraduates					
Medicine and Dentistry	1 833	1 632	2 317	2 181	2 553
Subjects allied to medicine	2 322	2 862	3 263	3 362	4 092
Biological Sciences	1 796	2 480	2 737	3 091	3 544
Veterinary Science	67	79	127	111	93
Agriculture and related subjects	694	675	733	638	687
Physical Sciences	2 713	3 523	3 355	3 537	3 581
Mathematical Sciences	716	980	857	766	748
Computer Science	1 980	2 217	2 334	2 749	3 085
Engineering and Technology	5 294	6 256	6 189	6 772	7 159

Postgraduates	1994/95	1995/96	1996/97	1997/98	1998/99
Architecture, Building and Planning	2 571	2 091	2 429	2 583	2 812
Social, economic and political studies	6 050	7 478	7 600	7 901	8 407
Law	3 921	4 535	3 992	5 136	5 747
Business and Administrative Studies	13 942	14 717	15 455	17 259	17 086
Librarianship and Information Science	1 139	1 325	1 450	1 597	1 571
Languages	2 171	2 639	2 650	2 884	2 767
Humanities	1 679	2 315	2 446	2 638	2 723
Creative Arts and Design	2 114	2 566	2 765	3 189	3 159
Education	19 016	21 499	22 099	21 556	21 494
Combined	4 566	7 302	6 982	4 835	5 803
Combined Cross Modular	0	597	537	632	
Invalid code supplied	24	38	0	0	
Total	74 608	87 806	90 317	93 417	97 111

Funding - fees

13.72 New arrangements build on the principle set out in the Dearing Report into Higher Education that those who benefit from higher education should contribute towards its costs, given that:

- by their early 30s graduate earnings are around 20 per cent higher than for those with "A" levels alone;

- generally speaking those with higher education qualifications earn on average twice as much as those without qualifications;

- graduates are half as likely to be unemployed as the general population.

Accordingly, from autumn 1998, new entrants to full-time higher education have been asked to make an income related contribution of up to £1,000 a year towards their tuition (increased to £1,025 from autumn 1999 in line with forecast inflation). This represents approximately one quarter of the average cost of a course, as recommended by the Dearing Report. The remaining three quarters will continue to be met through public funds.

13.73 Relating the contribution to income ensures that students from lower income families will not have to contribute towards their tuition costs. This amounts to about one-third of students where parental income is taken into account. The rest will pay either in part or in full depending on income. The Teaching and Higher Education Act 1998 provides that the maximum fee contribution cannot rise by more than the rate of inflation without Parliament's approval.

13.74 The new funding arrangements mean that more government money will be available for higher education - an extra £253 million in 2000/01 and a further £295 million in 2001/02.

Loans for students

13.75 From 1999/00 basic support towards living costs has been in the form of loans, an element of which is income related. Supplementary grants continue to be available for students with particular needs, for example, those with dependants or disabilities. The terms of the student loan are generous: the interest rate is linked to inflation, students only have to pay back what they borrow in real terms, and the new repayment arrangements are flexible and relate directly to income, so that graduates pay back the loan at a rate they can afford. The starting threshold for repayments is £10,000.

Postgraduate awards

13.76 Studentships and research grants are available for postgraduate courses from the six Research Councils,[33] the British Academy, the Arts and Humanities Research Board, and some other sources. All the Research Councils grant funding for individual postgraduates. Competition for Research Council funding is on a competitive basis and obtaining a place on a postgraduate programme does not entitle students to awards. There are three types of funding which are given by all the Research Councils: advanced Course Studentships, which are for Masters level taught courses, usually of one years duration, Research Masters training awards and Standard Research Studentships, which are for PhD or MPhil students on programmes of up to three years full-time or five years part-time.

13.77 The Arts and Humanities Research Board (AHRB) makes awards for postgraduate study and research. Awards are on a competitive basis, and include studentships in the humanities for Masters and Doctoral programmes, as well as awards for students undertaking a full-time course of professional or vocational training in a range of arts and humanities subject areas. The AHRB also offers grants for large scale collaborative research projects, awards for research leave and small grants in the creative and performing arts.

13.78 Although the Post-Graduate Certificate of Education is the only mandatory postgraduate award for teacher training, LEAs can make certain awards for postgraduate study. These awards may cover tuition fees or maintenance requirements, but are entirely at the discretion of the LEA. Other options for students to help fund themselves on postgraduate courses include the Career Development Loan scheme or seeking a grant or a bursary from a charity or trust.

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[33] Biotechnology and Biological Sciences Research Council.
Engineering and Physical Sciences Research Council.
Economic and Social Research Council.
Medical Research Council.
Natural Environment Research Council.
Particle Physics and Astronomy Research Council.

ADULT EDUCATION

Responsible organizations

13.79 The FEFCs and LEAs are together responsible for securing adequate provision for further education for adults. Courses which lead to recognized qualifications such as GCSE, A Levels, or NVQs are funded through the FEFC and normally take place in further education colleges. All other types of courses - principally recreational or leisure courses which do not lead to recognized qualifications - are the responsibility of LEAs and are provided through a wide range of formal and informal venues. The TECs are also required to identify and endorse people who require training.

A new Learning and Skills Council

13.80 The *Learning to Succeed* White Paper published in June 1999 sets out a new framework for bringing together the whole of post 16 year old education and training into a single planning and funding system. Central to the new arrangements is the creation of a national Learning and Skills Council (LSC). The aim of the new structure is to provide a more coherent planning and funding system and higher quality learning opportunities which focus more sharply on the economy's needs for skills. It will also provide an improved framework of support to individuals and aims to encourage wider participation in all forms of education and training, particularly among non-traditional learners and those at risk of dropping out, and to provide that everyone has an equal opportunity to reach their potential. Subject to the passage of the necessary legislation the new arrangements will become operational from April 2001. A copy of the White Paper is at Appendix DD.

Literacy and numeracy

13.81 An *International Adult Literacy Survey* (OECD 1996) estimated that around one in five of the United Kingdom's adult population has real problems with everyday tasks involving reading, writing and using numbers. Following the report of a Working Group on adult Basic Skills, the DfEE is developing a national strategy with the initial aim of doubling the number of adults to be helped with improving their basic skills each year to 500,000 by 2002. The government funded Basic Skills Agency has the responsibility for developing and promoting basic skills training in schools, colleges, employment programmes and the workplace; further education colleges are already making a significant contribution to this end.

LIFELONG LEARNING

Lifelong learning

13.82 The Government is working to develop a "learning society" in which everyone routinely expects to learn and upgrade skills throughout life. Lifelong learning is designed to be one of the keys to prosperity - for individuals, businesses and the British economy. In February 1998, the Government set out its lifelong learning proposals in a consultation paper, *The Learning Age*.

The proposals include:

- expanding further and higher education;
- establishing the University for Industry;
- introducing individual learning accounts;
- helping young people to continue to study beyond the age of 16;
- increasing help for basic literacy and numeracy skills amongst adults;
- widening participation in learning;
- raising standards and setting clear targets across teaching and learning after the age of 16;
- working with business, employees and trade unions to develop skills in the workplace; and
- building an easily understood and relevant qualifications system.

The University for Industry

13.83 The concept of a University for Industry is intended to stimulate the demand for lifelong learning amongst individuals and businesses. A private company, UfI Ltd, was established in 1998 with an allocation of £44 million of government money for the year 1999/00 to implement its services and systems. Some £74 million has been made available for 2000/01. Under its brand name, *learndirect*, it is a new on-line and distributed learning network which became fully operational in the autumn of 2000. UfI makes learning available in the home, the workplace and at learning centres throughout the United Kingdom. It offers innovative and flexible learning opportunities ranging from basic literacy, numeracy and ICT skills to specialized technological skills, advanced ICT skills and business management. Currently, 251 *learndirect* Development Centres operated by partners across England, Northern Ireland and Wales are working with UfI to test services and systems, including the *learndirect* Web site, and gathering feedback based on over 200 on-line courses. Over 60 per cent of *learndirect* learning products are available on-line this autumn, rising to 95 per cent by 2003.

***learndirect* helpline**

13.84 Formerly known as *Learning Direct*, the national learning and careers helpline was launched in February 1998. The helpline offers free, high quality and impartial advice on a whole range of learning and career opportunities for adults. It is managed by UfI under contract to DfEE.

Individual learning accounts

13.85 Learning accounts are a government backed initiative aimed to encourage everyone to continue learning throughout their lives in order to help boost their employability, their earning power and their quality of life. Aimed mainly at those in work (certain benefits will not be available to those in full-time education or in other forms of government assisted learning), learning accounts will offer people aged 19 and over the opportunity to take control of how they manage and pay for their learning. The learning account incentives include:

- a £150 government contribution to the first one million accounts opened, provided the individual makes a small contribution (at least £25) himself;

- access to discounts on a range of learning - up to 20 per cent for a wide range of courses and other learning opportunities with a maximum of £100 in each year; and up to 80 per cent on more specific learning, such as basic computer literacy;

- tax and National Insurance contribution relief for individuals for whom employers have agreed to contribute to the cost of eligible learning.

13.86 From April 1999, Training and Enterprise Councils have been providing a limited number of "starter" accounts. A proportion of these accounts have been targeted at people in particular groups: local skill shortages, people with no or low qualifications, employees in firms with less than 50 people, and people returning to the labour market. A target of 400,000 learning accounts is set for the end of March 2001, rising to a million accounts opened by 2002.

TEACHERS

Standards for courses for Initial Teacher Training

13.87 New standards for courses of initial teacher training, which all trainees must meet, were introduced with effect from May 1998. The new requirements for obtaining Qualified Teacher Status (QTS) were set out in Circular 4/98 *Teaching: High Status, High Standards*. The standards for qualified teacher status, together with the Initial Teacher Training (ITT) national curricula, are designed to ensure that no new teacher will qualify without demonstrating that he or she can use effective teaching methods and establish and maintain discipline.

13.88 The standards for ITT set out the following requirements that trainees should meet. Trainees must demonstrate that they:

- are committed to ensuring that all pupils are given the opportunity to achieve their potential and meet the high expectations set for them;

- use teaching methods which stimulate intellectual curiosity, communicating enthusiasm for the subject being taught, fostering pupils' enthusiasm and maintaining pupils' motivation and the momentum of their work;

- provide structured learning opportunities which advance pupils' personal and social development;
- understand their professional responsibilities in relation to school policies and practices, including those concerned with pastoral matters;
- recognize that learning takes place inside and outside the school context, and understand the need to liaise effectively with parents and other carers and with agencies with responsibility for pupils' education and welfare.

The standards also contain specific references in relation to raising the attainment of ethnic minority pupils and disadvantaged pupils more generally.

OFSTED inspection of ITT

13.89 To ensure that newly qualified teachers are equipped with the appropriate knowledge, skills and understanding, all ITT provision is subject to rigorous inspection to ensure that provision reaches the required standard. The Teaching and Higher Education Act 1988 empowers OFSTED to inspect all publicly funded providers of ITT. OFSTED has developed a *Framework for the Assessment of Quality and Standards in ITT* and for the Teacher Training Agency (TTA), and provides guidelines and a framework for ITT inspections and information gathering. To date, except for a very few courses, ITT provision has been found to be adequate and much of it of a good or very good standard. Providers who receive a less than adequate report from OFSTED have to submit a recovery plan and are given support to help improve.

Review of ITT

13.90 TTA began a review in the autumn of 1999 of the initial teacher training standards, curriculum and requirements in Circular 41/98, and is due to report to the Secretary of State by December 2000. The review, which will include evidence arising from OFSTED inspections and a review of the National Curriculum, will consider the extent to which the standards and curriculum set out in the Circular take sufficient account of the specific needs of children from all backgrounds. The TTA, in collaboration with the Commission for Racial Equality and other interested parties, is also developing guidance for ITT on the ways in which successful teachers and schools have dealt with racism and the most effective ways of raising the attainment of minority ethnic pupils.

13.91 In addition, the Government is introducing a number of new initiatives to strengthen ITT. National Skills Tests, Modular Postgraduate Provision and Pre- and In-course Provisions are to be introduced in the next two years and checks will be made to ensure that ITT skills tests in numeracy, literacy and ICT do not disadvantage any particular group of candidates. The new, more flexible, ITT postgraduate provision will allow training to be better matched to the needs and circumstances of all those with the potential to gain Qualified Teacher Status. TTA has been asked to develop high quality and flexible study support materials and to set up summer schools from 2000/01. The new provision will be flexible and will particularly benefit trainees from previously under-represented backgrounds including minority ethnic trainees.

Teachers' continuing professional development

13.92 In December 1998, a Green Paper, *Teachers: meeting the challenge of change*, set out plans to develop and improve teachers' professional skills, including in-service training, to bring together national, school and individual priorities within a clear national framework. A number of initiatives are proposed to support this commitment:

- existing funding mechanisms will be reviewed to ensure the right balance between national priorities and the flexibility to match school and individual needs;
- a *Teachers' International Professional Development* programme was launched in May 2000 to provide opportunities for teachers to visit overseas educational institutions and learn from best practice;
- a programme of *Best Practice Research* scholarships began in September 2000 to give support and funding to teachers undertaking classroom based research;
- a pilot of professional bursaries for classroom teachers began in September 2000 which makes money available to teachers to spend on their individual professional development;
- a code of practice for establishments providing continuing professional development will be drafted.

Headship Training and Development Framework

13.93 The Green Paper proposes building on the three existing national programmes to provide training for head teachers at all stages of their careers - the National Professional Qualification for Headship (NPQH), the Head Teachers Leadership and Management Programme (HEADLAMP) and the Leadership Programme for Serving Head Teachers (LPSH). The NPQH will become mandatory for all those coming new to headship by 2002.

National College for School Leadership

13.94 The Government has announced its intention to establish a new National College for School Leadership. The College will offer heads, deputy heads and other school leaders the professional support and recognition other professions take for granted. It will act as a single national centre for debate on school leadership, will provide high quality training, leadership development and research, and will bring together and disseminate good practice. Once established, the National College will assume responsibility for NPQH, HEADLAMP and LPSH.

General Teaching Council

13.95 A General Teaching Council for England (GTC) has been established as the professional body for teachers. It is independent of Government, but will work with it and others to improve standards of teaching and maintain and improve standards of professional conduct among teachers. All teachers with qualified teacher status (QTS), who are not prohibited from teaching, are eligible to register with the GTC. Those qualified teachers who wish to teach in a maintained school or non-maintained special school in England are required to register. The GTC has powers to strike teachers off the register for unacceptable professional conduct or serious professional incompetence.

13.96 The GTC will also advise the Secretary of State and others on a wide range of teaching issues including standards of teaching, standards of conduct for teachers, the role of the profession, recruitment, supply, initial training, induction, professional development and medical fitness to teach. As with other professional bodies, the GTC will develop a Code of Professional Conduct and Practice expected of registered teachers and will charge a modest annual registration fee.

COOPERATION WITH OTHER COUNTRIES

Socrates and associated programmes

13.97 The United Kingdom is a leading participant in the European Community's Socrates programme. The first phase of the programme ran from 1995 to December 1999. Its aims were to "contribute to the development of quality education and training and the creation of an open European area for cooperation in education". The second phase, agreed in December 1999, runs for a seven year period from 2000 to 2006. The programme is open to the 15 Member States of the European Union, plus Norway, Iceland and Liechtenstein, associated countries in Central Europe, and Cyprus, Turkey and Malta. The United Kingdom's average annual contribution to the budget for the first phase of the Socrates budget was 28 MECU, compared with incoming grants totalling 25 MECU.

13.98 The second phase of the programme draws on experiences and builds on successful aspects of the first phase; it improves and amalgamates several existing activities and introduces a number of innovations. The programme focuses on lifelong learning as a tool to foster citizenship and enhance employability. The programme's objectives are to:

- strengthen the European dimension of education at all levels, and facilitate wide access to educational resources in Europe;
- promote improvement of knowledge of EU languages;
- promote cooperation and mobility of education, helping to remove any obstacles;
- encourage innovation in development of educational practices and materials.

The programme provides grants both to individuals and to organizations in all sectors of education to establish international partnerships, promote the teaching and learning of European languages, disseminate good teaching practice, develop new products, and organize overseas visits, exchanges and work placements for teachers and students.

13.99 The main activities of the programme are in the schools sector (COMENIUS); higher education (ERASMUS); adult education (GRUNDTVIG); teaching and learning of languages (LINGUA); open and distance learning and ICT in education (MINERVA). In the United Kingdom the following activities have taken place within these programmes since 1995:

- over 10,000 language pupils and students have participated in exchanges since 1995;
- 10,592 students went to study in other European countries in 1997/98;
- 166 higher education institutes took part in the ERASMUS programme in 1998/99;
- the United Kingdom was host to some 20,000 ERASMUS students from the EU, mainly from France, Germany, Spain, Italy, and the Netherlands in 1996/97;
- 735 teachers took part in LINGUA courses during 1997/98;
- 238 preparatory visits and joint educational projects involving 2,297 pupils and 286 staff took place in 1997/98;
- 222 preparatory visits and 1,132 projects took place for COMENIUS in 1997/98.

United Kingdom development assistance to overseas countries

13.100 The Department for International Development's (DfID) work in education is driven by the two relevant International Development Targets of universal primary education (UPE) by 2015 and gender equality in primary and secondary education by 2005. The Department is increasingly focusing its education resources on basic education. Over three-quarters of current commitments to education - which exceed £800 million - are now in this area. Two-thirds of these resources are concentrated in 11 of the poorest countries of Sub-Saharan Africa and South Asia. DfID's aim is to invest in sustainable systems so that when its partnership with a particular country ends, a quality primary education system will remain - locally run and locally funded.

13.101 A further education priority for DfID is to help provide developing countries with an essential framework for skills acquisition and training provision, in order to enable individuals to gain access to work related skills and employment and to help developing economies achieve growth, building on a higher level of skills in the population. DfID's new *Skills for Development Programme* will focus on building capacity in developing countries to address these challenges. The Department's support for scholarship schemes, such as the *Commonwealth Scholarships and Fellowships Plan*, and *Academic Link* programmes - financed through the Fund for International Cooperation in Higher Education - also promote skills development.

13.102 DfID is also working closely with the *Commonwealth of Learning* on helping governments define ways of providing secondary and tertiary education which are more efficient and less costly than before. Distance learning, involving new technologies to expand access to such education and skills training, will play an important part on this. The *Imfundo initiative*, which DfID is co-ordinating, seeks to ensure that the new information and communications technologies are used to deliver practical improvements in education in the developing world, particularly in Africa.

Northern Ireland

Learning targets

13.103 Northern Ireland's learning targets for the year 2000 are:

Foundation Learning

- by age 19, 85 per cent of young people to achieve five GCSEs at Grade C or above, an Intermediate GNVQ or an NVQ level 2;
- by age 19, 75 per cent of young people to achieve level 2 competence in communication, numeracy and information technology; and 35 per cent to achieve level 3 competence in these skills by age 21;
- by age 21, 60 per cent of young people to achieve two GCE A levels, an Advanced GNVQ or NVQ level 3.

Lifetime Learning

- 60 per cent of the work force to be qualified to NVQ level 3, Advanced GNVQ or two GEC A level standard;
- 30 per cent of the work force to have a vocational, professional, management or academic qualification at NVQ level 4 or above;
- 70 per cent of all organizations employing 200 or more employees, and 35 per cent of those employing 50 or more, to be recognized as "Investors in People".

New Targeting Social Need

13.104 The *Targeting Social Need* initiative was first launched in Northern Ireland in 1991 with the aim of tackling disadvantage by directing resources and efforts across the public service towards individuals, groups and areas objectively defined as being in greatest social need, irrespective of community background. The initiative has recently been re-launched under the name of *New TSN* and comprises three complementary strands of action:

- a particular focus on the problems of unemployment and employability;
- targeting of other forms of social need and inequality in terms of education, health and housing; and
- promoting social inclusion initiative to address social exclusion.

In the education context the focus on employability means a new emphasis on raising educational standards. Over the next three years a series of actions are planned which will:

- improve the targeting of funding;
- raise the quality of early learning for socially disadvantaged pupils; and
- provide additional support for low achieving schools.

EARLY LEARNING

Interdepartmental Group on Early Years

13.105 In Northern Ireland responsibility for early years provision is shared by the Department of Health, Social Services and Public Safety, which is responsible for childcare, the Department of Education (DE), which is responsible for pre-school education, and the Department of Higher and Further Education, Training and Employment. Co-ordination of the overall Northern Ireland Childcare Strategy takes place through the Inter-Departmental Group on Early Years, which brings together representatives of the three Departments.

Sure Start and Childcare Plans

13.106 £9.9 million is being made available for the *Sure Start* programmes in Northern Ireland over the period to March 2002. The Inter-Departmental Group on Early Years worked with Childcare Partnerships in each of the four Health and Social Services Board areas to set up the first *Sure Start* programmes by April 2000. The Childcare Partnerships, based on Area Early Years Committees which have been operating since 1994, will also draw up annual Childcare Plans for their areas.

Pre-school Education

13.107 The *Pre-School Education Expansion Programme* in Northern Ireland is creating over 9,000 new free early education places over a four year period. This will increase the proportion of children in their final pre-school year for whom places are available from 45 per cent in 1997/98 to 85 per cent in 2001/02. The programme takes account of the lower compulsory school age compared to England. (All children in Northern Ireland begin compulsory schooling in September when they are aged between four years two months and five years two months.) The programme has been targeted initially on the most socially disadvantaged children and on the oldest children in the pre-school year (those with July and August birthdays).

13.108 The programme is designed to promote high quality pre-school learning. All providers of pre-school learning are required to have a curriculum which follows guidance produced by the Northern Ireland Council for the Curriculum, Examinations and Assessment and to meet minimum requirements in relation to staff qualifications, group size and adult/child ratios. Every establishment must also secure support from an early years specialist in helping to raise standards and prepare children for school. All establishments providing funded places are subject to inspection by the Education and Training Inspectorate.

13.109 The additional pre-school places are being secured in the voluntary, private and statutory nursery sectors. The programme is being implemented through pre-school Education Development Plans, which are drawn up each year by pre-school Education Advisory Groups in each Education and Library Board (ELB) area. Development of nursery and other forms of pre-school education is also taking place under urban regeneration initiatives in Belfast and Londonderry and the EU *Special Support Programme for Peace and Reconciliation Childhood Fund*.

SCHOOLS

Categories of schools

13.110 The structure of the school system in Northern Ireland is uniquely complex with the main types of school management at present being:

- Controlled: Controlled schools are managed by ELBs through Boards of Governors. Primary and secondary school Boards of Governors consist of representatives of Transferors (mainly the Protestant Churches) and representatives of parents, teachers and the ELBs. Nursery, grammar and special school Boards of Governors consist of representatives of the latter three categories. Within the controlled sector there is a small but growing number of controlled integrated schools.

- Voluntary (Maintained): These are managed by Boards of Governors which consist of members nominated by Trustees (mainly Roman Catholic) and representatives of parents, teachers and the ELBs. Voluntary schools vary in the rates of capital grant to which they are entitled, depending on the management structures they have adopted. A majority are entitled to capital grants at 100 per cent.

- Voluntary (Non-maintained): These are mainly voluntary grammar schools managed by Boards of Governors which consist of persons appointed as provided in each school's scheme of management, representatives of parents and teachers and, in most cases, members appointed by DE or the ELBs. Voluntary Grammar Schools have been funded directly by DE but, under the 1998 Education Order, this responsibility will pass to the ELBs.

- Grant Maintained Integrated Schools: In recent years a number of grant maintained integrated schools have been established at primary level and post-primary levels. Such schools have been funded directly by DE but, under the 1998 Education Order, responsibility will pass to the ELBs.

- Independent Schools: These are schools which are not grant aided.

TABLE
of
Schools

	1988/89	1990/91	1996/97	1997/98	1998/99
Nursery	85	85	91	91	91
Primary	978	973	920	920	916
	(+ 26 Prep)*	(+ 26 Prep)	(+ 25 Prep)	(+ 25 Prep)	(+ 24 prep)
Secondary/Grammar	245	239	238	238	237
Special	46	46	47	47	47
(Independent)	(16)	(17)	(19)	(22)	(22)
TOTAL (Grant aided)	1 354	1 343	1 296	1 296	1 291

* Preparatory Departments in grammar schools.

TABLE
of
School Population (Thousands)

	1988/89	1995/96	1996/97	1997/98	1998/99
Nursery[1]	7.4	8.3	8.5	8.5	10.7
Primary[2]	185.5	187.9	187.2	184.8	181.6
Secondary sector[3]	143.1	151.6	152.7	153.1	153.9
Special Schools	3.8	4.6	4.7	4.7	4.7
TOTAL	339.8	352.4	353.1	351.1	350.9

[1] Includes nursery schools, nursery classes in primary schools and funded places with private and voluntary providers.

[2] Includes reception pupils, primary pupils and pupils in preparatory departments.

[3] Includes pupils in secondary and grammar schools.

Administration by the Education and Library Boards

13.111 Public education (other than university education) and the library service are administered in part by DE and in part by the five Education and Library Boards. The Boards were first established in 1973 following a major change in the structure of local government and are the local education authority and library authority for their respective areas. The Boards are responsible for:

- securing sufficient provision for primary and secondary education;
- recreational, social, physical, cultural and youth service activities;
- ensuring that provision is made for pupils who have special educational needs; and

- the provision of a comprehensive and efficient library service to grant aided schools and other grant aided educational establishments, and persons living or working within their areas.

Other services administered by the Boards include university and other awards, school meals and transport, school clothing, the enforcement of school attendance, and curriculum and advisory support services.

Membership of Boards

13.112 The membership of the Boards consists of District Councillors - some 40 per cent; representatives of the Transferors of schools (mainly the Protestant Churches) and the Trustees of maintained schools (mainly Roman Catholic) - some 25 per cent; and other persons who are interested in the services for which the Board is responsible - some 35 per cent.

Local management of schools

13.113 All grant aided schools (i.e. all those set out in paragraph 13.110 other than independent schools) have their recurrent costs fully funded by DE, either direct from DE or through one of the ELBs. Local Management of Schools, introduced under the Education Reform (Northern Ireland) Order 1989, involves a high level of financial delegation to schools. Each Board is required to establish a 'General Schools Budget' under which it retains a portion of the funding it receives from DE in order to discharge its own responsibilities and distributes the reminder amongst its schools according to a formula based primarily on pupil numbers but also reflecting other factors such as the size of premises. Similar arrangements are operated by DE for Voluntary Grammar Schools and for Grant Maintained Integrated Schools. All formulae conform to a broad framework set down by DE. The money delegated to schools is intended to cover day to day running costs as determined by the school's Board of Governors.

Integrated education

13.114 The first integrated school (Lagan College) was established by parents in 1981. The growth of the integrated sector was relatively slow over the next eight years with ten integrated schools (five grant aided and five independent) established by 1989. The Education Reform (Northern Ireland) Order 1989 placed a statutory duty on the Department to "encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils", and introduced a new category of school - the "grant maintained integrated school". Since 1989, a further 21 (11 primary and 10 secondary) grant maintained integrated schools have been established and 12 (eight primary and four secondary) existing schools have been transformed into integrated status. This brings the number of integrated schools to 43. In addition, two further schools (one primary and one secondary) will be given "conditional" status with effect from September 2000.

13.115 An Information Pack, *Transformation: an Information Pack for Schools,* was issued to all schools and interested parties on 10 November 1999. This sets out the current procedure for transformation; a copy is appended at Appendix EE. The process of transformation may be initiated either by the Board of Governors or parents and requires a ballot of the parents of the pupils at the school. Funding is available from the Northern Ireland Council for Integrated Education's *Integrated Education Fund* (funded by the Nuffield Trust, the Joseph Rowntree Foundation and DE) and an EU support programme for the promotion of integrated education, for promotional services to parents, including pre-ballot grants, and for the actual process and capital and other costs of transformation.

Admission to schools

13.116 DE determines the admissions and enrolment numbers for each nursery, primary, secondary and grammar school on the basis of the school's accommodation after consultation with the school's Board of Governors, the ELB for the area and the Council for Catholic Maintained Schools in the case of Catholic maintained schools. Each school must draw up the admissions criteria which it will apply to select pupils for admission if there are more applicants than places. Only grammar schools may use academic criteria.

Selective structure of secondary education

13.117 Selective grammar schools admit about 9000 (34 per cent) children transferring from primary school; the remainder go to secondary schools. Parents who are seeking a grammar school place for their child must enter their child for "transfer" tests. Some 70 per cent of children take the tests. The tests take place in the autumn term of children's final year in primary school and are based on the statutory programmes of study at primary level in English, mathematics, science and technology. Pupils are admitted to grammar schools on the strength of grade awarded or take up places in the non-selective sector.

Information for parents

13.118 The admissions and enrolment numbers, the admission criteria of all nursery, primary, secondary and grammar schools, information about the schools, the open enrolment arrangements and the arrangements for the provision of assistance with home-to-school transport is published by each ELB in the form of separate booklets. These booklets are available in December to parents of children below compulsory school age and in January to parents of children in their last year at primary school. All schools are required to publish a school prospectus. In the post-primary sector, school performance tables are published by the Department. Many schools hold open days for parents and children in December and January. In August of the children's final primary school year, parents receive a leaflet entitled *A Guide for Parents* which summarises the arrangements/timetable for the transfer of pupils from primary to secondary education. They receive a further leaflet before the transfer tests results issue in February entitled *Advice to Parents*. This offers advice on the factors to be considered when choosing a school and how to complete their child's Transfer Report/Application Form.

Parental preference

13.119 Under open enrolment policy and legislation, parents are able to express their preferences for the school they wish their child to attend. However, admissions to schools are constrained by the size of each school's accommodation. Parents unable to gain a place in their preferred school can appeal to an independent appeal tribunal. However, the only grounds of appeal are that the school had not applied, or not correctly applied, the criteria which it used to select pupils for admission.

Pupil teacher ratios

13.120 The pupil teacher ratios have improved since 1987/88 in both primary and secondary schools.

TABLE
of
Pupil Teacher Ratios

School Type	87/88	89/90	91/92	93/94	95/96	96/97	97/98	98/99
Primary[1]	23.5	23.2	22.6	21.6	20.4	19.8	19.6	19.9
All Secondary	14.8	14.7	15.1	15.1	14.7	14.5	14.5	14.6
All Schools[2]	18.4	18.3	18.3	17.9	17.1	16.7	16.7	16.8

[1] Includes pupils and teachers in nursery classes.

[2] All schools includes nursery, primary, preparatory, secondary, grammar and special schools.

Class sizes

13.121 In Northern Ireland, the commitment to reduce primary class sizes to a maximum of 30 pupils applies at Key Stage 1 (i.e. Pl to P4 classes inclusive) and is being fully implemented from the school year 2000. It had effect for Pl and P2 classes from September 1999.

Small schools

13.122 Current policy on small schools recognizes that the rural nature of a large part of the Province, the existence of separate controlled and maintained sectors, and the selective system of education all combine to make it necessary to have a higher proportion of small schools than in England. Thirty-seven per cent of primary schools have 100 or fewer pupils and 11 per cent of secondary schools have 300 or fewer pupils. Most are in rural areas where the school has a social purpose as a focal point for community activity in addition to its educational role.

13.123 Policy for small schools was set out in the Department's paper, *Small Schools: A Policy to ensure the most effective education provision for pupils, teachers and parents*, which was published in June 1994 and is appended as Appendix FF. Development work undertaken in recent years includes:

- a review of all primary schools with an enrolment of less than 60 and all secondary schools with an enrolment of less than 300;

- a Local Management of Schools' working group on a common formula for schools with particular attention to the funding of small schools;

- a review of curriculum support arrangements for small schools to ensure that they meet the needs of small schools and to consider how information technology and clustering might be used as part of support systems;

- research to investigate ways in which small schools could co-operate in order to enhance the quality of teaching and learning and to meet their statutory obligations.

DE intends to revise its small schools strategy in 2000, taking account of this work and ELBs' reviews.

Irish-medium education: policy

13.124 A growing number of parents in Northern Ireland are choosing to have their children educated through the medium of the Irish language. DE considers demand for Irish-medium and other forms of education within the general framework set out in section 44 of the Education and Libraries (Northern Ireland) Order 1986, that "so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents". Irish-medium schools have been able to achieve grant aided status, under the same procedures as other schools, by applying for voluntary maintained status. In addition, following the commitment in the Belfast (Good Friday) Agreement, provisions in the Education (Northern Ireland) Order 1998 placed a duty on the Department "to encourage and facilitate the development of Irish-medium education".

Irish-medium schools

13.125 Seven Irish-medium primary schools and one secondary school currently receive 100 per cent grant aid for recurrent expenditure. In addition there are six independent Irish-medium primary schools and one independent secondary school registered with the Department which do not qualify for funding as they do not meet the viability criteria for grant aided status. In practice this means that over 90 per cent of the 1,500 pupils being educated through the medium of Irish are in schools in receipt of 100 per cent grant aid.

Irish-medium pre-school provision

13.126 Prior to the 1998 Education Order, Irish-medium pre-school units were not considered for grant aided status and were registered as play groups with their local Health Trust. Under the *Pre-school Expansion Programme*, voluntary and private providers, including Irish-medium play groups, are eligible to receive Government grants if they comply with the requirements of the expansion programme and are included in the Development Plan drawn up for the local ELB area. Around 300 places in Irish-medium play groups are being funded from September 1999. In addition, Irish-medium pre-school centres are now eligible to apply for grant aided nursery status.

Irish-medium funding arrangements

13.127 Under the Education (Northern Ireland) Order 1998, Irish-medium schools, like integrated schools, receive recurrent grant aid from the date of opening provided viability criteria are met. In summary:

- funding for recurrent grants to Irish-medium schools has increased over the past five years from £1 million to £2.5 million;
- funding has been approved for the provision of new permanent accommodation for three Irish-medium schools at a total cost of over £4 million;
- an additional £1.3 million has been allocated over the next three years to assist the development of new Irish-medium units; the establishment of a promotional body for Irish-medium education; and the preparation of Irish-medium A level syllabuses and Irish-medium teaching material; and
- funding of £1.9 million has been approved by DE under the EU *Special Support Programme for Peace and Reconciliation* for projects with an Irish-medium dimension.

Teaching of Irish in English-medium schools

13.128 Irish is offered in all secondary schools under Catholic management and also in some integrated schools. It meets the foreign language requirement in the statutory curriculum provided another foreign language is also offered to pupils at Key Stage 4. It is estimated that some 24,000 pupils are studying Irish at present at an estimated cost of some £3.2 million.

Ethnic minorities

13.129 The Race Relations (Northern Ireland) Order 1997 makes it unlawful for schools to treat a pupil from a particular racial group less favourably than other pupils, and requires education authorities to ensure that facilities for education are provided without racial discrimination. DE has established the numbers and ethnic categories of ethnic minority pupils in Northern Ireland schools. The provision made for their education in primary or secondary schools normally takes the form of a more generous staffing ratio or the support of a teacher specialising in teaching English as an additional language where the need for this is identified. ELBs may also mount specific initiatives within the overall block grant allocated to them by DE. For example, the cost of providing interpreters for parent/teacher meetings where the parents are not fluent in English is met centrally by the Boards. DE is also giving consideration to those aspects of school performance which should be monitored and the most appropriate means of doing so.

Irish Travellers

13.130 The main concentrations of Irish Travellers in Northern Ireland are in three of the five ELB areas and, in each of these, the ELB has appointed a Traveller liaison support officer to develop strategies at local level for meeting the needs of Traveller children. In recent years the

Department has also secured EU Peace and Reconciliation funds to enable some ELBs and individual schools to pursue a number of initiatives in support of Traveller children. The Department's policy is that in normal circumstances it is in the best long-term interests of both Traveller children and settled children that they should be educated together in a non-discriminatory environment where all pupils can share and respect cultural diversity. The Forum for the Education of Traveller Children, representing the Department, the ELBs and several other key interests, maintains an overview of Travellers' education and, where appropriate, initiates conferences, in-service training and future planning. The Forum has been instrumental in producing teaching materials for primary schools aimed at promoting intercultural awareness and understanding of the Travellers and other ethnic minority groups.

13.131 The Department is currently engaged, as part of the *New Targeting Social Need* initiative, in reviewing its education strategies for Travellers and pupils from other minority ethnic communities in order to help further promote the social inclusion of these minority groups. A report, including recommendations, was laid before Northern Ireland Ministers in May 2000.

The Northern Ireland curriculum

13.132 The Northern Ireland curriculum is similar (though not identical to) the National Curriculum in England and Wales and is designed to provide all pupils with a broad and balanced education during the compulsory years of schooling. Under the Education Reform (Northern Ireland) Order 1989 (as amended), the statutory Northern Ireland curriculum is made up of Religious Education and five areas of study at primary level and six at secondary level. The six areas of study are:

- English
- Mathematics
- Science and Technology
- the Environment and Society
- Creative and Expressive Studies
- Language Studies (at secondary level only).

This structure helps to emphasize the breadth of the curriculum and in particular the fact that the compulsory subjects are meant to be the essential core, but by no means the whole, of the curriculum each school should offer its pupils.

13.133 At least one subject within each area of study is compulsory for each child during his compulsory schooling, with the exception of Language Studies, which is compulsory at secondary level only. The following table shows which subjects are compulsory within the areas of study at each key stage.

TABLE
of
Compulsory Contributory Subjects By Key Stage

AREA OF STUDY	Compulsory contributing subjects in key stages 1 and 2	Compulsory contributing subjects in key stage 3	Compulsory contributing subjects in stage 4
ENGLISH	English	English	English
MATHEMATICS	Mathematics	Mathematics	Mathematics
SCIENCE and TECHNOLOGY	Science and Technology	Science Technology and Design	Science
ENVIRONMENT SOCIETY	History Geography	History Geography	History or Geography or Business Studies or Economics or Political Studies or Home Economics or Social and Environmental Studies
CREATIVE and EXPRESSIVE STUDIES	Physical Education Art and Design Music	Physical Education Art and Design Music	Physical Education
LANGUAGE STUDIES		French or German or Italian or Spanish or Irish	French or German or Italian or Spanish or Irish
	Irish in Irish speaking schools	Irish in Irish speaking schools	Irish in Irish speaking schools

Cross-curricular themes

13.134 The curriculum includes a number of compulsory educational (cross-curricular) themes. These themes are not subjects in their own right; rather, they are topics the scope of which is defined by a series of objectives and which are taught through the medium of the compulsory subjects of the curriculum. The themes are:

- Information Technology
- Education for Mutual Understanding (EMU)
- Cultural Heritage
- Health Education
- Economic Awareness
- Careers Education.

The last two apply in secondary schools only. EMU and Cultural Heritage are peculiar to Northern Ireland. The objectives for EMU are, *inter alia*, "fostering self-respect, respect for others and the improvement of relationships between people of differing cultural traditions"; and it is set within the progressively widening context of Northern Ireland, the island of Ireland, the British Isles and the wider world. Cultural Heritage is concerned with the common and diverse features of pupils' cultural background and the interdependence of cultures and, like EMU, works outwards from the local to the international.

Review of the curriculum

13.135 The Northern Ireland Council for the Curriculum, Examinations and Assessment is currently undertaking a review of the curriculum with the aim of introducing revised programmes of study in September 2002. As part of this review the Council has provided advice to the Minister which identifies four short term objectives:

- clarifying the aims and values of the curriculum;

- developing a framework of generic skills;

- improving curriculum relevance for all learners; and

- providing greater flexibility at each key stage.

Two of the important areas which the Council will be considering when finalising their advice will be the need to ensure that any new proposals cover education for citizenship and that the new curriculum will take account of the changing needs of society and the employability of young people.

Religious education

13.136 Schools are required to provide religious education for all pupils, though parents have the right to withdraw their children from religious education classes. A core syllabus (drawn up by the four main churches) was made compulsory for all pupils from September 1996. Unlike England, however, where the agreed syllabus in force in an LEA's area is the whole provision, Northern Ireland's religious education core syllabus is not meant to represent the whole of the religious education teaching in a school.

Sex education

13.137 Sex Education is not a separate subject in Northern Ireland. Aspects of it - chiefly reproduction - are covered in the Science programme of study, and schools deal with other aspects in the health education and religious education programmes. Guidance materials for use by schools is due to issue in the near future.

Drugs education

13.138 DE is a member of the Central Co-ordinating Group for Action Against Drugs, the ministerially chaired inter-department/agency group established in June 1995 as part of the national campaign against drug misuse. The Group's purpose is to oversee and co-ordinate anti-drugs measures in the Province. The Department attaches a high priority to tackling the increasing problem of the availability and use of drugs in Northern Ireland and recognizes that schools have a major preventive role to play in addressing the problems of the misuse of drugs and other substance misuse. It has therefore taken steps to ensure that the curriculum makes provision for drugs education, and a comprehensive drugs education pack was issued to schools in June 1996.

Careers education

13.139 Careers education is a compulsory cross-curricular theme in the curriculum at Key Stages 3 and 4. A small group is being established to agree proposals for the careers guidance/education programme and, in the context of the proposals, to consider the progress that has been made since the last review was carried out in 1995 and take account of more recent developments in this area. The intention is that the group will produce an action plan based on this work at an early date. Consideration will then be given to the resource implications of implementing the action plan.

Business education links

13.140 The Northern Ireland Business Education Partnership (NIBEP) is established to promote education/business links. A development review of the work of NIBEP has recently been completed and the Board of the Partnership is presently being reconstituted to enable it to take forward its work in the light of the needs of young people in the new century.

School performance tables

13.141 Each year, DE publishes tables of information on secondary (including grammar) schools to enable the performance of schools to be compared. The information is provided by the Computerized Local Administration System for Schools and is confirmed by schools before publication. The tables provide a snapshot of certain aspects of school performance. They do not represent all the achievements of a school or of all pupils attending a school. Performance tables are not published in relation to primary schools.

School leavers and performance

13.142 A survey of all Northern Ireland school leavers is carried out annually. This shows that the proportion of school leavers obtaining two or more A levels has steadily increased from 24.3 per cent in 1988/89 to 34.6 per cent in 1997/98, while the proportion with no GCSEs has decreased from 19.0 per cent to 5.3 per cent during the same period.

TABLE
of
Performance of Pupils in Final Year of "A" Level Course and Year 12

Two or more A levels (1)	92 per cent
Five or more GCSEs A*-C (2)	55 per cent
Five or more GCSEs A*-G (2)	87 per cent
No GCSEs (2)	3 per cent

Pupil assessment

13.143 Statutory assessment arrangements have been in place in Northern Ireland since 1997. The arrangements are based on, and intended to be supportive of, the curriculum, enabling an assessment to be made of each pupil's performance, the performance of the school, and the performance across Northern Ireland, at three fixed points:

- age 8 (Year 4 - end of Key Stage 1);
- age 11 (Year 7 - end of Key Stage 2); and
- age 14 (Year 10 - end of Key Stage 3).

The arrangements are broadly parallel with those in England and Wales, with assessment against a progressive eight level scale in comparable subjects at the end of Key Stages 1 to 3. Pupils in Key Stages 1 and 2 are assessed in English and mathematics, and in Key Stage 3 in English, mathematics and science. In Irish medium schools, pupils are assessed in Irish and mathematics at Key Stage 1, in Irish, English and mathematics at Key Stage 2, and in Irish, English, mathematics and science in Key Stage 3. Assessment at Key Stages 1 and 2 takes the form of moderated teacher assessment and mandatory use of "assessment units" (class based test materials), and at Key Stage 3 by teacher assessment and externally set and marked tests. The tests are set and marked by the Northern Ireland Council for the Curriculum, Examinations and Assessment. Schools are required to include information about these assessment in their prospectuses and the Annual Reports of their Boards of Governors.

TABLE
of
Assessments
1997/98

Key Stage One	Percentages						
	Working toward Level 1	Level 1	Level 2	Level 3			
ENGLISH							
Boys	0.4	8.7	65.7	5.2			
Girls	0.1	4.5	60.2	35.2			
All Pupils	0.2	6.7	63.0	30.1			

Key Stage One	Percentages						
MATHEMATICS							
Boys	0.3	8.1	60.9	30.6			
Girls	0.2	5.4	60.8	33.6			
All Pupils	0.3	6.8	60.8	32.1			
Key Stage Two							
	Working toward Level 1	Level 1	Level 2	Level 3	Level 4	Level 5	
ENGLISH							
Boys	0.0	0.5	8.1	30.5	47.8	13.2	
Girls	0.0	0.2	3.8	22.7	53.8	19.5	
All Pupils	0.0	0.4	6.0	26.7	50.7	16.3	
MATHEMATICS							
Boys	0.0	0.5	6.0	24.3	37.2	31.9	
Girls	0.0	0.2	3.8	20.5	41.2	34.2	
All Pupils	0.0	0.4	4.9	22.4	39.2	33.0	
Key Stage Three							
	Not achieving level	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8
ENGLISH							
Boys	5.0	10.1	20.2	27.4	25.5	8.3	1.0
Girls	1.9	4.5	12.5	27.1	31.4	17.5	3.3
All Pupils	3.4	7.3	10.4	27.2	28.4	12.9	2.1
MATHEMATICS							
Boys	2.1	12.4	20.1	22.4	21.6	15.8	3.5
Girls	1.6	8.4	19.3	21.0	23.0	20.9	4.3
All Pupils	1.9	10.4	19.7	21.7	22.3	18.3	3.9
SCIENCE							
Boys	2.7	6.0	24.6	26.5	21.6	14.2	2.3
Girls	1.9	4.9	22.0	27.3	23.4	16.5	2.4
All Pupils	2.3	5.4	23.3	26.9	22.4	15.3	2.3

Truancy and exclusion from school

13.144 Figures collected in 1997/98 indicated that persistent absenteeism across the entire school population was some 5 per cent and that 70 pupils were permanently excluded from school. A survey of discipline in schools was carried out in 1997 and its findings formed the basis of the strategy to provide more consistent, co-ordinated and effective in-school and external support for schools and pupils with discipline problems, including truancy, and to reduce the levels of exclusions from school. This is part of the School Improvement Programme (see below) and is described in the booklet *Promoting and Sustaining Good Behaviour in Schools*. The booklet includes an action list and timetable, and additional resources of some £7.4 million will be spent in the period 1998/99 to 2001/02 to support the development of the new strategy.

THE SCHOOL IMPROVEMENT PROGRAMME

The Programme

13.145 The School Improvement Programme (SIP), launched in February 1998, sets out comprehensive plans to raise standards in schools; it aims to tackle low achievement and to ensure improvement for all in all types of schools. There are seven separate but related elements:

- the *School Support Programme* (SSP), which offers a period of intensive support to a number of individual schools;
- a strategy for promotion of literacy and numeracy addressing, in particular, the needs of boys as learners;
- a strategy for promoting and sustaining good behaviour in schools;
- guidance for schools on the development planning process;
- guidance on target setting as an integral part of development planning;
- guidance prepared by the Education and Training Inspectorate on school self-evaluation, which is the starting point of the development planning process; and
- measures to improve the quality of school leadership.

Booklets on the School Improvement Programme published by DE are appended at Appendix GG.

Resources

13.146 Planned expenditure on SIP in the period up to 2001/02, including £20 million made available under the Comprehensive Spending Review (CSR), will total almost £47 million. The CSR resources will maintain the momentum of the programme to improve standards further and will:

- enable the SIP to provide intensive support to additional numbers of weak schools in each year;
- allow a major programme of training for teachers to improve their literacy and numeracy teaching skills;
- provide for the development and dissemination of good practice and innovation in schools including schools in areas of social need; and
- create parent support groups to help provide vital home support.

School Support Programme

13.147 The *School Support Programme* replaces and builds on the *Raising School Standards Initiative* which ended on 30 June 1998. It provides a period of intensive professional and financial support for improvement measures in schools normally lasting three years, but exceptionally for five years. The programme puts a strong emphasis on:

- improving the quality of teaching and learning in the classroom;
- improving the quality of school leadership and management;
- raising the levels of teachers' expectations of their pupils;
- increasing pupils' self-esteem and the quality of their educational experience; and
- school development planning, and incorporating realistic and appropriate targets for improvement.

13.148 Secondary schools are admitted to the programme on the basis of their weighted performance index over the last three years (based on public examination results) and primary schools on the basis of free school meals uptake and, as far as is available, the number of pupils over the last three years who either achieved the lowest grade in the transfer test or chose not to take the test and the end of Key Stage 2 assessments for the same period. Other indicators, such as attendance, teacher absenteeism, and suspension and expulsion rates, are taken into account as appropriate. The advice of the Education and Training Inspectorate, ELBs and the Council for Catholic Maintained Schools is sought before a final decision is taken as to which schools should be admitted to the programme. Thirty-six schools were admitted to the programme in September 1998 and a further 28 joined from September 1999.

13.149 Five post-primary schools which serve areas with particularly high levels of social deprivation have made only limited progress under the *Raising Schools' Standard Initiative* and the *School Support Programme*. Special measures are being drawn up to deal with their problems including the development of specific and innovative approaches. A project leader has been appointed to work with teams from each of the schools to develop the plans and to implement them.

Literacy and numeracy strategy

13.150 This strategy comprises:

- a coordinated approach to the promotion of literacy and numeracy across the Province, including the creation of teams of six development officers working in each Board area;
- the extension of the *Reading Recovery* programme - an intensive remedial programme for children falling behind in reading in Year 2;

- targets for 2002 in literacy and numeracy for eight, 11 and 14 year olds;
- comprehensive advice and bench-marking information to schools;
- literacy and numeracy summer schemes (in 61 schools in 1999);
- guidance for schools on best practice in teaching English and mathematics;
- guidance to schools on improving boys' learning, through a range of appropriate schemes;
- guidance for schools on how they can engage parents' support in helping their children learn.

Discipline strategy

13.151 This strategy establishes a framework for a more consistent, co-ordinated and effective in-school and external support system for schools with pupils' discipline problems, including truancy, which may lead to exclusions. The main features of the discipline strategy include:

- new Behaviour Support Teams in each ELB to work with teachers and pupils on behaviour management;
- the creation of pupil referral units to provide some 200 additional "withdrawal" places and outreach support across the Province;
- pilot projects in each Board area of permanent alternative provision for the most challenging 14 to 16 year olds for whom mainstream education is not suitable;
- preparation of best practice guidelines on discipline policies in schools;
- new legislation to strengthen the position of schools in matters of discipline;
- a review by the Northern Ireland Council for the Curriculum Examinations and Assessment of the practical elements of Home Economics and Technology and Design elements of the curriculum and guidance on the content of effective Personal and Social Education programmes.

Out-of-school hours learning activities

13.152 Funding for out-of-school hours learning activities, including summer schools, from the New Opportunities Fund (some £9.2 million) has been made available from April 1999 for schools, and voluntary organizations in association with schools, to support a range of activities. The aim is to establish out-of-school hours learning activities in at least a quarter of all primary schools and half of special schools and secondary schools by 2001 and to provide up to 11,250 summer school places by 2002.

National Grid for Learning

13.153 Northern Ireland is fully part of the national initiative. Its arrangements for participating in the Grid include the following:

- Teacher Training: £2.5 million has been provided for a programme to train teachers in core Information Communication Technology (ICT) skills. Each school now has a trained teacher leader who will in turn train his or her colleagues on a cascade basis. Training in the pedagogical use of ICT commenced in January 2000 financed by Northern Ireland's share (£10.81 million) of the £230 million made available nationally by the New Opportunities Fund for this purpose;

- Infrastructure: The ICT needs of Northern Ireland's schools and libraries system are to be met by a managed service to be known as *Classroom 2000*. The service is provided under a Public Private Partnership arrangement, and will embrace curriculum, administration and management systems, as well as Internet access and the provision and upgrading of appropriate hardware. The procurement of the service is under way and is expected to take some 30 months commencing in mid-2000. The project's scale - some 350,000 pupils, 20,000 teachers and 1,300 schools - makes it one of the biggest in the United Kingdom. An additional £44 million has been made available to fund the project;

- Curriculum Resources: All schools in Northern Ireland have been connected to the Grid since June 1999. The service, which will be continually developed, includes filtered e-mail, web-conferencing, the electronic exchange of information (such as statistical data, examination entries and results) and access to educational resources and the Internet.

THE EDUCATION AND TRAINING INSPECTORATE

The work of the Inspectorate

13.154 The Education and Training Inspectorate is the principal source of advice on all professional educational and training issues as well as all aspects of the provision, quality and standards of education and training. Its responsibilities include schools, colleges, adult and continuing education, teacher education, the youth service, the support services of the ELBs, the educational dimension of sports, leisure and the arts and industrial and vocational training in all establishments where such training is grant aided by the Government. It operates as an integral part of the Department of Education and provides inspection services to the Department of Higher and Further Education, Training and Employment (DHFETE), the Department of Culture, Arts and Leisure and other Departments as required.

The organization of the Inspectorate

13.155 The Inspectorate is headed by the Chief Inspector who is the principal adviser on education and training matters to the Departments. There are five staff inspectors, each of whom is responsible for a major sector of the Inspectorate's work. There are, in addition, 53 inspectors and nine associate inspectors. Most inspectors work mainly in two areas, for example, primary and secondary education or further education and training. Associate inspectors are recruited to support inspection of particular initiatives and for particular purposes, for instance, the inspection of the New Deal and the pre-school centres to recommend their fitness for registration. Lay members, whose experience is not in education, are appointed by a panel independent of the Inspectorate and serve on teams for general inspections.

The practice of Inspection

13.156 The Inspectorate's effectiveness depends essentially on the expertise, competence and experience which inspectors bring to bear in their work and on their professional relationships with, and influence on, those with whom they come into contact. In discharging its responsibility for promoting high standards, its mode of working goes beyond evaluation and reporting; it extends to giving advice and recommendations based on its knowledge and understanding of what schools, colleges and training establishments are seeking to achieve, and of the standards that are appropriate in different circumstances. The basis for the Inspectorate's judgements rests on what is observed and evaluated at first hand in classrooms, laboratories and workshops - i.e. in all places where teaching and learning occur.

Inspections and Surveys

13.157 The Citizen's Charter required each school to have at least one major inspection every five years and the completion of the five year cycle was largely effected by June 1998. Thereafter, it has been agreed that the inspection programme for schools will be drawn up normally within a seven year framework. With the incorporation of colleges and the introduction of the New Deal programme, the Inspectorate implements an extended inspection within each college and training organization on an eight year cycle; a focused inspection on some aspect of the institution's education or training will be carried out at least once every four years.

Forms of Inspection

13.158 Inspections normally take one of the following forms:

- a General Inspection - designed to evaluate and report on the main aspects of an institution's work;

- a Focused Inspection - takes an aspect (or a few aspects) of an institution's work as its focus. For example, the focus might be on the quality of provision in special needs and/or pastoral care or the quality and standards of achievement in an area of study. These are presently the most frequent form of inspection;

- a Quality Assurance Inspection - offers an external assessment of an area of work which the school has carefully evaluated for itself - for example, the induction of new pupils, or the quality of learning and teaching within a certain subject. When the school has completed its own evaluation, the Board of Governors requests the Inspectorate to judge the effectiveness of the evaluation and the validity of the findings;

- Follow-up Inspections - depends largely on the findings of an original inspection;

- a District Inspection - is usually completed by the district inspector who has special responsibility for the institution. The visit may concentrate on a particular theme, for example, the implementation of the curriculum in secondary schools, the impact of the Computerized Local Administration System for Schools in primary schools or the use of Information and Communications Technology in teaching and learning in further education;

- Surveys - findings from district inspections and other inspections often contribute to survey reports, but sometimes particular surveys are arranged to gain evidence on matters of priority interest; for example, on the implementation of General Vocational Qualifications or the impact on the quality of teaching and learning of the financial allocation for science and technology which accompanied the educational reform programme;

- Other Inspections - from time to time, the Inspectorate devises a model of inspection which is tailored for a particular purpose. For example, inspections of those schools which are in the School Support Programme are timed and planned to help the schools, at their point of entry to the initiative, to identify their strengths, and assess the priorities of the issues which they will need to address.

FURTHER EDUCATION

Further education colleges

13.159 Further education is defined in legislation as full-time and part-time education (other than higher education) for persons over compulsory school age. The 17 colleges providing further education became free standing incorporated bodies on 1 April 1998. Responsibility for the management of the colleges now rests with the 17 Governing Bodies. The colleges own the property and other assets they use, employ their own staff, and are responsible for all the services they require. The Department of Higher and Further Education, Training and Employment (DHFETE), advised by the Further Education Consultative Committee - a non statutory consultative body, with representation drawn from colleges, the voluntary sector, business and industry - is responsible for the strategic planning and funding of the sector.

Courses

13.160 The further education colleges vary greatly in size and in the diversity of the courses they provide. Their curricula encompass a wide range of courses developed over the years and are subject to continuous revision to meet the needs of individual students, local communities, and industry and commerce. Vocational courses range from basic pre-vocational level through to level 5 (higher education level, see below). All vocational courses lead to nationally recognized qualifications such as those of the Business and Technology Education Council (BTEC), City and Guilds of London Institute (CGLI), and Oxford and Cambridge and the Royal Society of Arts (OCR). Along with England and Wales, Northern Ireland has been involved in developing a national framework of vocational qualifications through National Vocational Qualifications (NVQs) which set standards of occupational and professional competence. General National Vocational Qualifications (GNVQs) have been established to provide young people in full time education with an alternative route to A levels from which they may proceed to further or higher education, training or employment. In addition, further education colleges provide courses leading to GCE A level qualifications with many students going on to universities and the world of work. Further education colleges are also recognized training organizations for the Training and Employment Agency's jobskills programme.

Higher education in the further education sector

13.161 The further education sector also offers a wide range of full-time and part-time higher education courses. Full-time courses consist almost totally of BTEC higher national diploma courses (HND) in a wide range of vocational areas. Other provision includes NVQ levels 4 and 5 in areas such as secretarial studies, business administration, hotel management, and catering. There is a wide range of part-time courses leading to a variety of qualifications. About half of part-time courses lead to Higher National Certificate (HNC) or HND qualifications. The remainder include degree (under franchise from a University) and diploma courses in vocational areas, humanities and social and behavioural studies, and courses leading to awards of professional bodies at NVQ 4 or 5. DHFETE has recently secured an additional 600 fully funded full-time higher education places in further education colleges which have been distributed across various areas of skills. The first 300 places were introduced in the academic year 1999/00 and the remainder will be introduced from 2000/01. This will bring the total full-time higher education provision in the further education sector to more than 3,500 in 2000/01.

Non-vocational

13.162 Non-vocational education provided by further education colleges includes adult basic education, community education and a wide range of leisure/hobby courses. These courses also provide a route into mainstream vocational education. Priority has been given to increasing the number of enrolments in adult basic education.

Participation

13.163 The colleges' student population has undergone a significant change during the last ten years. Student demand for social, administration and business studies courses and for general education, language and other arts courses has grown to the extent that, as a percentage of total college activity, it now exceeds the demand for engineering and technology courses. At present there are around 24,000 full-time students and 65,000 part-time students enrolled on vocational courses. The majority of students on such courses in 1999/00 were studying further education courses (87 per cent) and the dominant mode of attendance was part-time (73 per cent). The majority of full-time students are in the 16 to 19 age group (90 per cent), while most part-time students are over 19 (70 per cent). In addition, there are approximately 60,000 students on non-vocational courses which includes adult basic education and a wide range of leisure-time/hobby type courses.

Finance

13.164 Under the Further Education (Northern Ireland) Order 1997, the Department has responsibility for funding the further education sector. Total expenditure on further education is currently in the order of £119 million per annum, £93 million of which is allocated directly to colleges on the basis of the number of full-time equivalent students and a funding formula. £16 million is also available for a range of other support initiatives, including earmarked curriculum and staff development projects and grants to voluntary bodies. In addition to this funding, £16.5 is available for capital expenditure.

Merger of further education colleges and government training centres

13.165 Following consultation with the further education and training sectors, it has been agreed in principle that further education colleges should merge with the ten government training centres, administered by the Training and Employment Agency. This will create a new working relationship between colleges and training centres which will build on the strengths of each and avoid destructive competition and costly duplication of provision. There are currently some 1900 trainees in the training centres. Practical issues relating to the mergers, including staff transfers, are under consideration.

Students with learning difficulties or disabilities

13.166 The Further Education (Northern Ireland) Order 1997 places a statutory obligation on the governing body of an institution of further education to have "regard to the requirements of persons over compulsory school age who have learning difficulties" (Article 13(2)). Recent developments in the United Kingdom generally such as the Disability Discrimination Act, the Tomlinson Report on Inclusive Learning and the Kennedy Report on Widening Participation have given a new emphasis to this aspect of provision.

Annual development plans

13.167 Each further education college is required to prepare an annual college development plan covering a rolling three year period. This plan must include references to plans to assist students with learning difficulties or disabilities. In addition, the financial memorandum for the colleges makes it a condition of grant that the Governing Body must "publish a disability statement" and requires colleges to take account of the provisions of the Code of Practice for Students with a Learning Difficulty or Disability.

Individual Student Learner Agreements

13.168 Individual Student Learner Agreements (ISLA) which set out the agreed programme of study and the respective responsibilities of the student and the college are being introduced in the further education sector. One of the first groups of students to be covered by ISLA are students with learning difficulties or disabilities. The ISLA will be particularly beneficial as it will set out auditable evidence of the additional support being provided. Full coverage for all students, whether or not with disabilities, will be achieved by 2001/02.

Good Practice Guide

13.169 DHFETE established a working group with representation from across the further education sector to consider and make recommendations on best practice with regard to provision for students with learning difficulties or a disability. A Good Practice Guide on *Support for Students with Learning Difficulties and/or Disability* (set out at Appendix HH) has recently been published and circulated across the further education sector. A staff development programme for senior managers and governors was produced in November 1999 in conjunction with the National Bureau for Students with Disabilities to disseminate the group's work.

Financial support for students with learning difficulties, etc.

13.170 Under college recurrent funding, students with learning difficulties or disabilities attract a higher individual weighting in addition to the normal subject weighting. Additionally:

- funds are available to colleges under the Additional Support Fund introduced in 1998/99. The level of funding has been £155,000 in 1998/99, £300,000 in 1999/00 and £310,000 in 2000/01. This funding is available to promote the inclusion of students with learning difficulties into mainstream further education and is designed to provide additional technical and human support for the students concerned;

- over the past two years £60,000 has been specifically committed to curriculum development projects on *Inclusive Learning* to explore how best to widen access and support learners who have learning difficulties or disabilities. The projects take cognisance of issues arising from the Tomlinson and Kennedy reports;

- DENI makes resources available annually (in 2000/01, £486,000) to colleges of further education in respect of an enhanced programme of staff development for further education lecturers. One of the priority areas in this programme is *Students With Learning Difficulties and/or Disabilities*.

HIGHER EDUCATION

Institutions

13.171 Higher education is provided by three universities, The Queen's University of Belfast, the University of Ulster and the Open University. The Queen's University has six faculties: Engineering; Humanities; Legal; Social and Educational Services; Medicine and Health Sciences; and Science and Agriculture. There is also an Institute of Irish Studies, an Institute of Professional Legal Studies, and an Institute of Continuing Education. The University of Ulster is based at four separate campuses in Belfast, Coleraine, Jordanstown and Londonderry. It has six faculties: Art, Design and Humanities; Business and Management; Engineering; Informatics; Social and Health Sciences and Education; and Science - and is home to the Ulster Business School. The Ulster University remains true to its polytechnic origins by offering a unique mix of full-time and part-time degree and sub-degree level courses, the majority of the full-time courses involving employer placements.

13.172 Both universities have established higher education outreach centres throughout Northern Ireland to widen local academic opportunity by offering a more flexible form of third level education provision on a "closer-to-home" and "closer-to-work" basis. The Centre for Cross Border Studies, an independent campus company owned by The Queen's University, Dublin City University and the Workers Educational Association (NI) was established in Armagh in September 1999. In addition, both universities have links with industry and make a significant contribution to the industrial and economic development of Northern Ireland.

13.173 The Open University in Northern Ireland has, since 1992, been administered as a single region with the Republic of Ireland. Belfast remains the Regional Headquarters, but an Enquiry and Advice Centre has also been opened in Dublin. The University offers a wide range of courses at undergraduate level (degrees and diplomas) in subject areas as varied as the arts and technology. At postgraduate level it offers masters courses in the humanities and sciences as well as research degrees in a wide range of subjects.

Funding

13.174 The Queen's University and Ulster University are funded by DHFETE. Total funding in the 1999/00 academic year is expected to amount to some £128 million. The Open University in Ireland is funded centrally through the Higher Education Funding Council for England (HEFCE). Funding for Northern Ireland in 1998/99 was £3.9m out of a total United Kingdom budget of £125 million.

Quality

13.175 Quality assurance in the university sector is the responsibility of the Quality Assurance Agency which was established in March 1997 to provide a unified quality assurance service for higher education. The three United Kingdom territorial Higher Education Funding Councils and DHFETE are represented on the Board of Directors of the Agency.

Student numbers

13.176 Total enrolments in 1999/00 were as follows:

	Full-time	Part-time	Total
Queen's	13 631	6 975	20 606
Ulster	13 915	5 995	19 910
Open	4	3 237	3 241

Some 86 per cent of the total number of students at Queen's University and Ulster University are domiciled in Northern Ireland, 8 per cent are from the Republic of Ireland, and 5 per cent from Great Britain and overseas. The figures for the Open University relate to Northern Ireland students only.

13.177 As a result of the 1998 Comprehensive Spending Review, provision was made for 1,600 additional university places to be created by 2002. The additional places will help meet the demand for local students to study in Northern Ireland and will be related mainly to skill needs and addressing issues of access.

Students with learning difficulties or disabilities

13.178 Universities in Northern Ireland are not legally obliged to make provision for disabled students. However, the existing grant condition under the Education and Libraries (NI) Order 1993, reflected in Part IV of the Disability Discrimination Act 1995, requires DHFETE, when awarding grants, to have regard to the needs of disabled students and requires the universities to publish disability statements. The statements describe current policy and provision, and future activity and policy development. DHFETE is actively encouraging the universities to take action beyond the provision of disability statements and, in practice, they do considerably more than what is in the statement.

13.179 A recurrent disability premium of £137,000 has been introduced into the mainstream teaching funding method with effect from the academic year 2000/01, in recognition that higher education institutions incur additional costs in supporting students with disabilities. DHFETE also participates in the series of special funding programmes being undertaken by HEFCE which aim to improve provision for disabled students. Since 1998 DHFETE has allocated £412,000 to the Northern Ireland universities under these programmes to support a number of projects.

LIFELONG LEARNING

Northern Ireland policy

13.180 The Northern Ireland policy statement on lifelong learning, *Lifelong Learning: A New Learning Culture for All*, was published in February 1999 by DHFETE and the Training and Employment Agency. The policy comprised a set of interlocking proposals, with the aims of:

- creating a culture where lifelong learning becomes the normal pattern;

- improving Northern Ireland's competitive position in world markets;
- helping people of all ages, backgrounds and abilities to enhance their employability in a rapidly changing economy; and
- developing individuals' self-fulfilment through recognising their achievements.

A copy of the statement is attached at Appendix II.

Action plans

13.181 Action Plans to implement the policy by 2002 include:

- providing 8,000 additional places in further education;
- providing 2,000 additional places in higher education;
- as part of the national plans for the University for Industry up to 30 local *learndirect* centres will be developed by the end of 2001 with on-line learner support; a Northern Ireland centre for the *learndirect* phone information and advice service became operational in June 2000; *learndirect* will provide easily accessible learning opportunities in literacy and numeracy, IT skills and management skills;
- introduction of Individual Learning Accounts in September 2000; 20,000 accounts are expected to be opened and used for vocationally related education and training by 2002, and up to 45,000 accounts by 2005;
- establishing improved methods to identify and monitor Northern Ireland skills needs, supported by a new Skills Task Force;
- providing work specific learning for the unemployed through the New Deal;
- updating the Jobskills programme for young people entering the labour market, including an enhancement of employer-led Modern Apprenticeships and introducing a new legal right to time off for study for young workers;
- significantly increasing the help for, and access to, adult basic literacy, numeracy and information technology skills training;
- widening access to third level education from previously under-represented groups;
- establishing a Strategic Collaboration Fund to encourage closer partnerships between the further education system, businesses and the community;
- consulting on a new funding structure for further and higher education;

- introducing a Northern Ireland Credit Accumulation and Transfer System to make it easier to build learning and qualifications throughout life.

The Lifelong Learning policy is being backed by significant additional funding: some £70 million in the further education and higher education sectors; £14 million for skills enhancement in key economic sectors; and £10 million to assist with the development of the University for Industry, the introduction of Individual Learning Accounts and measures to boost workplace learning.

TEACHER EDUCATION

Initial Teacher Education

13.182 In the main, Northern Ireland does not experience difficulties over teacher supply and recruitment. Consequently, the calibre of intake is high. For the most part, primary teacher training is provided through a four year BEd course and secondary teacher training through a one year post graduate certificate in education course. New arrangements were introduced for the courses from 1 September 1996. The new courses, while retaining the same academic rigour as before, place a renewed emphasis on practical preparation, including a higher proportion of school based experience. The courses are based on a profile of specific professional competence which ensures greater clarity in what is expected of each student at each stage of training and greater consistency within and across courses. The progressive acquisition of competence is monitored and recorded by means of formative and career-entry profiling. This model of professional competence is also designed to link the three main stages of training - initial, induction and early professional development - and to promote continuing professional development.

Induction and Early Professional Development

13.183 This fully integrated programme of induction and early professional development builds upon the competence acquired during initial teacher education. It is provided for new teachers respectively in their first year and in their second and third years of teaching. The focus is on practical teaching skills, strengthening partnerships between the teacher training providers, and the effective use of resources within the existing school support and in-service training.

Qualifications for Headship

13.184 There are two new initiatives with regard to head teachers:

- the professional leadership development programme has been expanded for serving head teachers;

- a new Professional Qualification for Headship has been established based on the National Professional Qualification for Headship in England and Wales. It is proposed that the Northern Ireland qualification for professional headship - PQH(NI) will become mandatory for new and aspiring school principals when there is a ratio of 3:1 PQH(NI) qualified teachers to principal vacancies.

General Teaching Council for Northern Ireland

13.185 The General Teaching Council for Northern Ireland was established in September 2000. It will be the major body to advise the DE and the employing authorities in Northern Ireland on: the standards of entry to the profession; the structure and content of initial teacher education courses; the career development and performance management of teachers; the standards of teaching; and the standards of teachers' conduct. It will have professional responsibility for registering teachers and for excluding from teaching, after due process, those found guilty of misconduct.

Scotland

The Scottish educational system

13.186 Scotland has its own school system currently provided in accordance with the Education (Scotland) Act 1980, as amended, and the Regulations made under it. In addition to providing for the organization and administration of the schools system, the 1980 Act requires parents and guardians to ensure that children of school age (children who have attained the age of 5 years but not yet attained the age of 16) receive education suitable to their age, ability and aptitude, and, in effect, requires the education authorities to ensure that free education is provided for such children where their parents wish it. Further and higher education is provided by universities and institutes providing further education and is currently regulated in accordance with the Further and Higher Education (Scotland) Act 1992. As noted above, education in Scotland is now the responsibility of the Parliament and Executive of Scotland.

PRE-SCHOOL EDUCATION

Institutions

13.187 Provision may be made for the care and instruction of children below school age as follows:

- In nursery schools, or nursery classes in primary schools, provided by local educational authorities under powers in the Education (Scotland) Act 1980. (The standards in Scotland's Schools Act 2000 will require local authorities to secure part time pre-school education for eligible children under school age.) Such schools are staffed by qualified teachers and nursery nurses. Most schools are small with places for between 40 and 60 children. It is common for children to attend either in the morning or in the afternoon, or sometimes only on certain days of the week.

- In day centres or nurseries provided by local authorities (otherwise than through their education departments) under the Social Work (Scotland) Act 1968. These nurseries cater for children in the whole pre-school age group and provide nursery education for the older children. The head of the institution may be qualified in teaching, social work or early years childcare. Children usually attend these nurseries every week day.

- In pre-school play groups often supported by local authorities, and often in conjunction with the Scottish Pre-school Play Association or the Highland Pre-school Services, but run by parents with or without a trained play-leader. Each play group is limited to 24 children and normally operates on the basis of a two and a half hour session daily or on certain days of the week.

- In private sector nurseries which provide nursery education for three or four year olds. Private day nurseries are required to be registered under the Children's Act 1989 with the local Social Work Department.

13.188 As is the case with schools (see below), the sparsity of the population in the Highlands and Islands of Scotland creates problems for the provision of pre-school education. A government grant of £6 million was made available (2000/01) through the *Pre-School Education Grant Scheme* to local authorities in rural areas to enable them to expand pre-school education in areas of low population. A number of innovations in this field include the use of mobile pre-school centres and peripatetic teaching services.

Pre-school policy

13.189 The aims of pre-school education are, *inter alia*, to encourage the emotional, social, physical, creative and intellectual development of children. Guidance to pre-school institutions in the form of *A Curriculum Framework for Children, 3-5* has been published by HM Inspectors of Schools. From the winter of 1998/99, all pre-school children are eligible to a free place for one year of pre-school education, and from August of 1999 the offer of a free place will begin to be extended to all three year olds, in both cases if their parents' wish it, with all three or four year olds having access to a place by 2002.

TABLE
of
Pre-School Education Centres (June 2000)

Number of centres	2 336
Number of children attending	98 352
Teachers (full-time equivalents)	1 566

SCHOOLS

Organization

13.190 Under the Education (Scotland) Acts, the responsibility for providing schools, employing teachers and financing most educational services is vested in the 32 elected local government authorities, each of which is the education authority for its area. They have a statutory duty to provide adequate and efficient school education and to make provision for special educational needs. The education authority exercises its educational functions through a committee (which may be referred to as an education committee) consisting of local councillors and three members representing the churches. Most schools are non-denominational. However, a significant number of primary and secondary schools are denominational. Originally established by the Roman Catholic church, these schools were transferred to the local authority but retain their denominational status in accordance with the transfer arrangements. Substantial financial responsibility is delegated to all primary, secondary and special schools under the *Devolved School Management Initiative*, but the local authority remains accountable for expenditure.

13.191 Under the School Boards (Scotland) Act 1988, every local authority school is required to form a school board consisting of elected parents and staff members and members co-opted from the local community. School boards, which have wide powers for obtaining information about their own school and other schools in the local authority's area and to comment on the school's finances, provide an effective means for parents to influence the running of the school. With a board's consent, the local educational authority may delegate further functions to the board. There are school boards in 82 per cent of primary schools, 97 per cent of secondary schools and 61 per cent of special schools (1998). Parent / Teacher Associations, which offer a further opportunity for parents to make an input into schools, are now established in many primary and secondary schools.

13.192 The Scottish Minister for Children and Education is responsible to the Scottish Parliament for the overall supervision and development of pre-school and school education. His powers are exercised through the Scottish Executive Education Department (SEED) SEED liaises with the local education authorities and other bodies with an interest in education. It offers guidance on, amongst other things, curricula and teaching methods and health and safety measures affecting schools and is the department through which grants for special schools are made. SEED also includes a schools' inspectorate which is responsible for the evaluation of school standards and for advising the Scottish Executive on all aspects of education .

Expenditure

13.193 The cost of most publicly funded schools is met by the education authorities supported by funding by central government. In the financial year 1997/98, overall expenditure on publicly funded schools amounted to £878.3 million in the primary sector and £1,026 million in the secondary sector.

Admissions policy

13.194 Parents may choose the school to which they send their children though there are certain limitations, e.g. where a school already has the maximum number of pupils or in the more rural areas. There is an appeal to an appeal committee and then to the courts if an application for admission to a particular school is refused.

Primary schools

13.195 In 1998, there were 2,291 publicly funded primary schools with 436,985 pupils (223,346 boys and 213,639 girls) and 22,187 teachers (full-time equivalent) and a pupil teacher ratio of 19.4:1. Primary school education normally lasts for seven years and is organized by age in classes of mixed ability. Teaching is a mixture of whole class, group and individual pupil techniques. All primary school classes are co-educational. After seven years of primary schooling, pupils are admitted to secondary education. Normally, no certificates are awarded to pupils in primary schools.

13.196 With the exception of religious education, the curriculum in primary schools is not determined by law, but SEED provides guidance. The guidance provides for five main curricular areas and recommends the proportion of time to be allocated weekly to those areas: language, 15 per cent of available time; mathematics, 15 per cent; environmental studies, 25 per cent; expressive arts, 15 per cent; religious and moral education, 10 per cent; leaving 20 per cent of available time to the school's discretion. The Education (Scotland) Act 1980 requires both primary and secondary schools to provide religious education, but parents have the right to withdraw their children from it.

Secondary schools

13.197 In 1998, there were 392 publicly funded secondary schools with 313,136 pupils (156,748 boys and 156,388 girls) and 24,085 teachers (full-time equivalent) and a pupil teacher ratio of 13.2:1 (1996/97). The majority of publicly funded secondary schools are non-selective comprehensive schools which provide six years of education from the age of 12 years. The first four years ("lower secondary education") cover the period of compulsory education; the remaining two years ("upper secondary education") are designed to prepare pupils who remain at school after attaining the age of 16 for vocational and higher education.

13.198 As with primary schools, the curriculum is the subject of advice from SEED and Learning and Teaching Scotland. Schools design their curriculum for the first four years around eight areas of study: language and communication; mathematical studies and applications; scientific studies and applications; social and environmental studies; technological activities and applications; creative and aesthetic activities; physical education; and religious and moral education. All pupils up to the age of 16 are expected to continue with the study of English, mathematics, a science, a modern foreign language and a social subject, but beyond those core elements, pupils in the third and fourth year are able to select options for study from the school curriculum "menu" for 25 to 30 per cent of the time available. In addition to full two year courses, secondary schools offer modular courses of varying length leading to the award of the National Certificate by the Scottish Qualifications Authority (SQA). In addition to any National Certificate for such modular courses, at the end of the four years of lower secondary education pupils are eligible, following external examination and school assessment, to be presented for the Scottish Certificate of Education Examination at standard grade by the SQA. Pupils may also receive a *National Record of Achievement* (now being replaced by the *Progress File*) which is designed to set out their qualifications and experience for the information of employers. The *Progress File* is a self-development tool and includes five workbooks for different target groups, namely S1/S2, S3/S4, S5/S6, young people in further education and training, and adult trainees. *Progress File* is already available in the post-school sector in Scotland and is being introduced in all secondary schools from 1999; it is undergoing further pilots in the rest of the United Kingdom.

13.199 In the final two years of secondary education (upper secondary education) , the number of subjects studied is likely to be no more than five. A broad range of options is likely to be available and freedom of choice of subjects is greater than in lower secondary education.

However, most schools insist that the subjects studied include a course in English or in communication studies. Upper secondary education does not offer specific preparation for any career although vocational subjects are available. As a preparation for work, 16 year old pupils are encouraged to seek work experience with local employers.

13.200 Starting from 1999, a new unified system of post-16 year old qualifications is being introduced in schools, further education colleges and training centres over a period of three to five years. The new qualifications will be available at five levels: Access, Intermediate 1, Intermediate 2, Higher and Advanced Higher. Intermediate 1 and 2 are equivalent to Standard Grade General and Credit level courses, and Advanced Higher is equivalent to Certificate of Sixth Year Studies. These will be known as national qualifications; (in their development stage they were referred to as "Higher Still"). The courses are made up from units, normally three of 40 hours study. A student passing a number of units and courses may be able to build them into a Scottish Group Award. This is a new qualification which covers key areas of study and may be of particular interest to employers.

13.201 In addition to teaching staff, secondary schools have a system of guidance consisting of guidance teachers who are employed to provide personal, curricular and career advice to pupils. As with primary schools, there are also external support services: the psychological service of the educational authority, the local health services and the local authority's social work services.

Assessment and targets for improvement

13.202 SEED provides guidelines on assessment across the curriculum, on reporting to parents and on standardized national tests for English language and mathematics. In consultation with their education authorities, primary and secondary schools have set their own targets for improvement in the four key areas of literacy, numeracy, certificate examinations and attendance over a three year period until 2001. To ensure consistency and rigour across the country, target setting was carried out under a national framework as set out in the publication (1998) *Setting Targets - Raising Standards in Schools*, a copy of which is attached as Appendix JJ.

Gaelic

13.203 There is a statutory requirement on education authorities to provide for the teaching of Gaelic in Gaelic speaking areas and Gaelic now features at all levels of education: pre-school, primary, secondary, further and higher education, and as part of teacher training. Gaelic language and Gaelic-medium education are not confined to the traditional Gaelic speaking areas of Scotland but are also established in the main urban areas. Local authority Gaelic-medium nurseries increased from three with 54 children in 1993/94 to 33 with 276 children in 1999/00. Gaelic-medium primary units increased from 45 with 1,080 pupils in 1993/94 to 50 with 1,831 pupils in 1999/00. Scotland's first ever dedicated Gaelic school opened in Glasgow in 1999. Gaelic language for learners and native speakers has been taught in secondary schools for many years, and there is increasing Gaelic-medium provision at secondary level. Several further education colleges provide Gaelic language courses including Sabhal Mor Ostaig, the Gaelic College on Skye, and Lews Castle College in Stornoway. The Universities of Aberdeen, Edinburgh and Glasgow have Celtic Departments in which Gaelic is studied. The Scottish Executive will spend £13.1 million on support for the language in 2000/01, including £8.5 million on Gaelic broadcasting and £3.8 million on Gaelic education.

13.204 A report, *The Attainment of Pupils Receiving Gaelic-medium Primary Education in Scotland*, concludes "that pupils receiving Gaelic-medium primary education, whether or not Gaelic was the language of their home, were not being disadvantaged in comparison with children educated through English. In many, though not all, instances they out performed English-medium pupils and in addition gained the advantage of having become proficient in two languages".

Scots Languages

13.205 Curriculum guidance advocates the inclusion of Scots literature in the school curriculum with the aim of teaching a proper awareness and appreciation of the language. The Scottish Executive provides financial support to a number of Scots language organizations.

Specialist schools

13.206 In the public sector there are two specialist music schools and a specialist dance school which are centres of national excellence. In these schools pupils spend a large amount of time in their specialist area, but they have the same opportunities to take the same certificates as those in other schools. The Scottish Executive has identified resources to extend the number of specialist schools and new schools will be launched in 2000.

Rural schools

13.207 The population of Scotland is very unevenly spread over the country. The overall density is 0.63 persons per hectare, ranging from 2.8 persons per hectare in the central belt to 0.08 in the 40 per cent of the country which is administered by the Highland Council. In the more remote areas, some children may have to travel some distance to attend the nearest school, especially in the econdary sector. In a few instances the nearest secondary school may only provide education for two or four years. At the end of those periods, pupils are able to continue their education at schools further from their homes which offer the normal six year course. There are schools in island and other remote areas which cater for very small numbers of pupils. Other special arrangements include the provision of hostel or other boarding facilities for pupils, usually of secondary school age, and the use of specialist teachers who travel between schools to teach particular subjects.

Special educational needs

13.208 Local education authorities are required to take special educational needs into account in their areas. Parents may appeal against decisions on SEN affecting their children. The Scottish educational system seeks, whenever possible, to integrate children with learning difficulties into mainstream classes and learning support teachers are appointed to schools both to assist pupils and to provide in-service training for teachers. Some SQA modules have been adapted for pupils with SEN. However, for children with more significant learning difficulties, there are day or residential special schools or units. In addition to local education authority schools or units, there are seven schools run by independent organizations for children with particular needs (such as visual, hearing or physical impairments) which are supported financially by SEED.

13.209 In May 1998, the Government published *Special Education Needs in Scotland: a Discussion Paper* which invited views on the improvement of facilities for children with SEN. Following consultation, the Government launched a £8 million action plan and scheme for grants to improve the support available to families and schools working with children with special educational needs.

INDEPENDENT SCHOOLS AND HOME EDUCATION

Independent schools

13.210 There are 74 independent schools offering primary education and 64 with secondary pupils, one of which specializes in music. Such schools charge fees. Some 4 per cent of children attend independent schools. The primary institutions range from small schools run by religious groups to large primary departments in large independent schools. A small number of them prepare pupils for entry into English public schools. The secondary establishments include boarding schools similar to English public schools as well as schools offering the same kind of education as is provided by local authority schools. Independent schools are required to be registered with the Registrar of Independent Schools and are subject to inspection by Inspectors of Schools.

Home education

13.211 Although parents are required by law to ensure their children receive efficient education which is suitable to their age, ability and aptitude, they may choose to educate them otherwise than at school. However, where a child is educated at home, the local education authority has a responsibility to ensure that the education provided is suitable, and has a duty to enforce school attendance if it is unsatisfied with the education provided at home.

FURTHER EDUCATION

Further education colleges

13.212 The main providers of further education in Scotland are the 43 incorporated further education colleges which were established as self-governing institutions under the Further and Higher Education (Scotland) Act 1992. A further four colleges continue to operate outside this framework, with two of these (in Orkney and in Shetland) remaining under local authority control. The other two institutions (Sabhal Mor Ostaig, the Gaelic college in Skye, and Newbattle Abbey College) are independent, being run by their own trustees. Higher education institutions also make some further education provision, as do a range of other agencies, including local authorities and workplace training centres.

Funding

13.213 Further education colleges in Scotland are funded (since July 1999) by the Scottish Further Education Funding Council (SFEFC) from resources made available to it by the Scottish Executive Enterprise and Lifelong Learning Department (SEELLD). The Further and Adult Education Division of SEELLD has overall responsibility for further education in Scotland on behalf of Scottish Ministers and issues guidance on policy to SFEFC.

Courses

13.214 The further education colleges provide a wide range of courses at both non-advanced and advanced levels. In addition to further education ("non-advanced") courses, many colleges now offer higher education ("advanced") courses at degree (e.g. BA, BSc) level with validation from a body with degree awarding powers, as well as sub-degree (e.g. HNC and HND) level. Provision is made for both full-time and part-time (including day release) students. The majority of courses at all levels are vocational and practical.

13.215 Courses at further education colleges are composed of modules or units. The SQA Catalogue of National Certificate Modules contains details of over 4,000 modules. Each further education college determines the courses it will provide, but colleges are expected to work with employers and may create courses consisting of a variety of modules which are tailored to the needs of particular sectors of industry or business. The majority of courses are aimed at certificates or diplomas (including General Scottish Vocational Qualifications (GSVQS) awarded by the SQA or other award granting authorities). In addition, further education colleges may provide work based courses aimed at Scottish Vocational Qualifications (SVQS) as well as general or specialized programmes of learning for many occupations and interests in voluntary community education classes. Particular objectives include assistance to enable persons whose language is not English to achieve competence in English and the provision of facilities for those with learning difficulties.

13.216 From August 1999, the majority of National Certificate modules and GSVQs are being incorporated within the new structure of National Awards and Scottish Group Awards under the "Higher Still" reforms which introduce a common curriculum and assessment system across schools and colleges in Scotland.

Students

13.217 Although further education colleges have traditionally catered primarily for students leaving school at 16, 17 or 18 years of age, the number of mature students participating in further education has increased significantly in recent years. This is in line with the Government's policy emphasis on lifelong learning. Students aged over 25 accounted for 56 per cent of all further education students in 1998/99. Candidates for non-advanced courses do not usually require formal entry qualifications, but those for advanced courses are normally expected to hold a relevant prior qualification. In 1998/99 there were 421,556 student enrolments on further education courses in Scotland's further education colleges. Of these, 86 per cent were enrolled on vocational courses. The vast majority (86 per cent) of enrolments on further education courses were for part-time study. Fifty-five per cent of all students enrolled on vocational further education courses are female. (Information on enrolments on higher education courses at further education colleges are provided below.)

The Beattie Committee

13.218 The Beattie Committee set out to review the range of needs among young people who require additional support to make the transition to post-school education and training or employment; the assessment of needs; the quality and effectiveness of current provision in improving skills and employability; and to make recommendations to improve coherence, continuity and progression. Its report was issued on 10 September 1999.

13.219 The principal recommendation of the Beattie Committee was to emphasize the principle of "Inclusiveness" There were also a number of recommendations aimed specifically at the further education sector. The Committee recommended that the Scottish Further Education Funding Council (SFEFC) should require all colleges to have "Inclusiveness" policies which should be developed in consultation with learners, staff and other relevant agencies. The Committee also recommended that colleges should produce disability statements on an annual basis. Other recommendations were that colleges should work with other agencies in developing "Inclusiveness" approaches; should develop plans for improving accessibility; and that ACCESS centres should play a greater role in the assessment of learning needs.

HIGHER EDUCATION

Institutions

13.220 There are 14 universities (including the Open University), one university college and 5 other higher education institutions in Scotland. Certain of these institutions are specialist colleges; in addition to the Scottish Agricultural College, one is a teacher training institution, two specialize in art, design and architecture and one in music. Further education colleges also offer higher education courses.

13.221 Between them the universities and other higher education institutions offer a comprehensive range of academic, professional and vocational courses at sub-degree, first degree, post graduate degree (masters and doctorate), professional qualification and teacher training levels. They are also expected to carry out research. There is considerable variation within courses and from institution to institution in the number of subjects studied and the time spent in lectures, tutorials and practical training. The normal pattern for first degrees is of three years academic study for an ordinary degree and four years for an honours degree. In some faculties, e.g. medicine, the courses are longer.

Funding

13.222 All higher education institutions are funded by SEED through the Scottish Higher Education Funding Council, except the Scottish Agricultural College, which is funded through the Scottish Agriculture, Environment and Fisheries Department, and the Open University.

Students

13.223 In 1998/99, there were 255.963 students in higher education in Scotland; 36 per cent studied part-time. 28 per cent of the higher education students attended courses at further education institutions. 54 per cent of higher education students are female. The proportion of students over 25 has increased; in 1998/99 it stood at 44 per cent. Participation in higher education of school leavers has also increased to 49 per cent. Business administration is the most popular area of study (25 per cent of the student population), but computing and subjects allied to medicine also attract an increasing number of students.

ADULT EDUCATION

Institutions

13.224 Local education authorities provide adult education as part of their duty to provide further education under the Education (Scotland) Act 1980, as amended by the Further and Higher Education (Scotland) Act 1992. Such education and training is offered by community education services ("community education" in Scotland includes, adult education, educational support for community development, and work with children and young people), the library service, voluntary organizations such as the Workers' Educational Association and the Scottish Community Drama Association, commercial firms, and further and higher education institutions. *Community Learning Scotland* is responsible for promoting and developing community education. SEED spends over £3 million a year in support of community education by grants to voluntary bodies.

Facilities

13.225 The various institutions provide extensive facilities for adult education for full-time or part-time students in formal or informal courses and on accredited or non-accredited courses. There are facilities where adults may pursue their own leisure time and recreational interests and for adults in employment to pursue courses linked to that employment. There are courses for adults with special needs, such as a lack of literacy (and other failures to benefit from the school system), inability to speak or understand English, disabilities or long term unemployment; and the range of provision extends from basic instruction to courses of vocational, professional and academic study which lead to certificates, diplomas and degrees. The majority of courses do not have formal entry requirements. A number of adults also attend normal secondary schools part-time for particular classes with pupils.

Participation

13.226 In 1996/97, there were an average of 255,800 adults per week participating in community education. This was in addition to the number of adults attending vocational courses in further education colleges, adults in higher education, and Open University students.

Lifelong learning

13.227 It is the policy of the Scottish Executive to support and provide for programmes for lifelong learning making it a reality for the whole community, especially for those who have not been associated with formal education and training. In 1998, the then Scottish Office Ministers published *Opportunity Scotland*, a paper on lifelong learning, which set out a vision of a genuine learning society and how a programme of life long learning would be adopted in Scotland, including the establishment of targets to reflect Scottish circumstances and priorities. This programme was not implemented before elections were held for the Scottish Parliament and, following those elections and the establishment of the Scottish Executive, decisions on targets are now the responsibility of Ministers in the Scottish Executive. No decisions have been taken as yet.

TEACHERS

Initial training of school teachers

13.228 Teachers in publicly funded nursery, primary and secondary schools are required to be graduates, to have undergone initial training and to hold a teaching qualification (TO (Primary) or TQ (Secondary)). They must also be registered as teachers with the General Teaching Council for Scotland and serve two years on probation. A teaching qualification may be obtained:

- as a primary school (including nursery) teacher or a secondary school teacher of technology, physical education or music, by a four year course leading to a Bachelor of Education degree at one of the teaching training institutions. There are three elements in the course: professional studies, curriculum studies and school experience;

- as a secondary school teacher in certain subjects with a combined degree at some higher education institution which includes the study of a particular subject, study of education and school experience;

- for those who hold a university degree, by a one year course in a teaching training institution leading to the TQ(Primary) or TQ(Secondary). This includes professional studies, subject studies and classroom experience. A TQ(Secondary) certificate specifies the subject for which it is granted.

SEED has produced *Guidelines for Initial Teacher Education Courses in Scotland* (a copy of which is at Appendix KK); these courses are required to be approved by the Scottish Executive. Certification at the end of these courses requires assessment by the staff of the teaching institute and an external examiner and a written examination or project work. Teaching training institutions are subject to inspection by HM Inspectors of Schools.

13.229 There were the following trainees in 1998/99:

Primary	
BEd (four year course)	2 420
One year course	253
Secondary	
BEd (four year course)	1 128
One year course	771

Further training

13.230 In-service training or staff development is provided for teachers both on a compulsory and a voluntary basis. A new qualification for aspiring head teachers - the *Scottish Qualification for Headship* (SQH) - has been instituted. The SQH has been developed in full consultation with the profession and other interested parties. The qualification and associated development programme are based on the *Standard for Headship in Scotland* which sets out the key elements of the head teacher's job in terms of management functions, professional abilities, and underpinning knowledge and values. The SQH programme is still being piloted but some of the group have attained the qualification through an accelerated route and were awarded the qualification in September 1999.

13.231 It is now the intention to develop a national framework for *Continuing Professional Development* (CPD) for teachers. A CPD consultation paper, which was issued July 1998, proposed a national framework for training and development and connecting achievement from initial teacher education (ITE) through to headship; it received a broad measure of support. The structured approach to CPD is designed to strengthen professional confidence among teachers and to raise their status and morale. The next stage is the development of a standard and related training programme (and perhaps qualifications) which recognize the professional skills of the expert teacher.

Conditions of service

13.232 Schoolteachers in the public sector are appointed and employed by the local education authority. Their conditions of service - *Teachers Contract* - are, however, negotiated nationally and enshrined in Scottish Joint Negotiating Committee for Teaching Staff (SJNC) agreements. The SJNC is a statutory body established under the Education (Scotland) Act 1980, and effectively provides for statutory collective bargaining between the local authority employers and the main teacher unions. Settlements formulated by the SJNC, i.e. agreed by both management and teachers, become legally binding on all local authorities in Scotland.

13.233 In February 1998, the Scottish Education and Industry Department (now known as the Scottish Executive Education Department) introduced *Guidelines on Staff Development and Appraisal*. Staff development and review is seen as an important part of school management. The process includes the development and assessment of staff training needs in relation to the requirements of the school development plan and the wider and longer term needs of the education service. Staff development and review should involve all teachers in schools including head teachers and all senior staff.

COOPERATION WITH OTHER COUNTRIES

13.234 Scotland participates in the *SOCRATES, LEONARDO* and *YOUTH FOR EUROPE* programmes and in the Fourth Framework Programme for Research and Development.

Wales

SCHOOLS

Education policy

13.235 The paper, *Better Wales,* sets out the National Assembly for Wales' long-term vision for Wales and what it intends to do in the next three years to implement it. *Better Wales* has three major themes - securing sustainable development, promoting social inclusion and promoting equal opportunities. One of the key objectives of the plan is to create better opportunities for leaning. The principal areas where results are sought are:

- giving the youngest children, including those in the most deprived communities, a good start to life;
- improving standards of teaching and attainment in all schools, particularly those serving the most deprived communities;
- putting more investment in people and lifelong learning so that everyone, and particularly young people, can gain the range of knowledge and skills required to fulfil their potential and prosper in the new economy;
- promoting active citizenship, creativity and entrepreneurship.

The youngest children

13.236 The family literacy and numeracy programme is to be expanded to involve 2,300 parents and children. 22,000 new childcare places are to be created through the *Early Years and Child Care Development Plans.* The *Sure Start* programme costing £25 million will be fully operational later this year.

13.237 Early years education provision is broadly as described in the section on England. Provision for three year olds in Wales stands at 50 per cent of the age group. The National Assembly has yet to decide whether to expand it. Early years education providers have to work to the *Desirable Learning Outcomes* set out by the Curriculum and Qualifications Authority for Wales. There is no plan to replace it with a foundation stage as proposed for England.

13.238 Inspection of provision of early years education is undertaken by ESTYN (Her Majesty's Inspectorate for Education and Training in Wales).

Standards of teaching and attainment in schools

13.239 The organization and funding of schools is broadly the same as in England. The main differences are that Wales has no State schools where admission is by selection on the basis of academic ability; there are no education action zones; and there are no specialist schools.

Attainment targets

13.240 National attainment targets proposed in the education White Paper for Wales, *Building Excellent Schools Together*, published in 1997 were restated in 1999 as follows:

- at age 11, between 70 per cent and 80 per cent of children to reach the expected standard in English or Welsh, science and mathematics by 2002, rising to 80 to 85 per cent by 2004;
- at age 14, between 70 per cent and 80 per cent of children to reach the expected standard in English or Welsh, science and mathematics by 2002, rising to 80 to 85 per cent by 2004;
- at age 16, 54 per cent of pupils to achieve five higher grade GCSE passes by 2002, rising to 58 per cent by 2004;
- at age 16, 91 per cent of pupils to achieve five GCSE passes at all levels by 2002, rising to 95 per cent by 2004;
- between 1996 and 2002, the number of 16 year olds leaving education without a recognized qualification to be reduced by 15 per cent;
- between 1996 and 2002, the gap between achievement of boys and girls to be cut by 50 per cent;
- by 2002, all schools to have at least 25 per cent of 16 year olds gaining five or more higher grade GCSE passes;
- by 2004, at least 80 per cent of children in public care to leave school with one or more GCSE passes or equivalent;
- school absences to be reduced below 8 per cent;
- exclusions of pupils to be reduced by a third.

Class sizes

13.241 In September 1999, only 9 per cent of pupils aged five, six and seven remained in classes of over 30. Schools and local authorities are on target to eliminate all large infant classes by

September 2001. The size of junior classes is falling. In January 1998, 38 per cent of junior pupils were in classes of over 30; this was reduced to 31 per cent in September 1999 and targets of 29 per cent and 27 per cent were set for September 2000 and 2001.

Literacy

13.242 A guidance document on literacy strategies was issued to schools in July 1998 and funding provided to raise standards of literacy. The focus is on primary schools. A successful *National Year of Reading* was held from September 1998 to September 1999. This raised the profile of reading for both adults and children. In addition to funding activities during the year, the Assembly provided £4 million for books for schools.

Numeracy

13.243 A comparable framework document on numeracy was issued in June 1999 and funding is being provided to raise standards. The programme *Maths 2000* was launched in January 2000 to promote numeracy.

National curriculum

13.244 The content of the National Curriculum differs from that in England. Following a wide ranging review, a revised *Curriculum 2000* was introduced in September 2000. The intention is to secure a more rounded and flexible curriculum with a greater emphasis on personal and social education.

School buildings

13.245 The poor State of many school buildings in Wales adversely affects the standards and quality of education. Since 1997, an additional £90 million has been provided to begin to make inroads into the backlog of refurbishment. The Assembly's intention is that by 2010 all school buildings will be in good physical shape and properly maintained.

Welsh in schools

13.246 Twenty-seven per cent (446) of primary schools in Wales teach solely or mainly through the medium of Welsh. 50 secondary schools teach more than half of the foundation curriculum subjects wholly or partly in Welsh. Since 1999, Welsh has been a compulsory subject for pupils in English-medium schools up to the age of 16. The underlying principle is that all pupils should have the opportunity to learn Welsh and that for this to be meaningful there should be continuity and progression through the whole period of compulsory schooling. Implementation has been a gradual process.

Special educational needs

13.247 The legal requirements are the same as those in England, save that lay members of the SEN Tribunal are appointed by the National Assembly. A Green Paper, *The Best for Special*

Education, which was published in 1998, was followed in January 1999 by *Shaping the Future for Special Education - An Action Programme for Wales.* The action proposed includes the introduction of a new code of practice on SEN in Wales.

FURTHER EDUCATION

Institutions

13.248 The further education sector in Wales comprises 27 institutions funded by the Further Education Funding Council for Wales (FEFCW). These are:

- 12 general further education colleges;
- eight colleges which operate either wholly or in part as tertiary institutions;
- three colleges which specialize in land based studies;
- one adult residential college; and
- three designated institutions (the Workers Educational Association North and South Districts and the YMCA).

A wide variety of courses is offered, ranging from foundation basic skills programmes to higher education courses. The sector offers a second chance to many who have limited educational attainment.

Enrolment

13.249 In 1999/00, there were over 204,000 enrolments at further education institutions in Wales, an increase of 6.5 per cent on 1997/98. Of these, 21 per cent were full-time, 75 per cent part-time and 4 per cent open/distance learning. The Government has announced that it will create an additional 28,000 places between 1997/98 and 2001/02.

Funding

13.250 As in England, further education institutions in Wales can claim additional funding from the FEFCW for students with learning difficulties or disabilities. The FEFCW also gives institutions extra money for enrolling students from socially and economically deprived areas or from areas which are sparsely populated. Additional funding is also given for Welsh-medium provision.

ADULT EDUCATION

Education and Training Action Group

13.251 In 1998, the Government in Wales set up an Education and Training Action Group tasked with drawing up proposals to focus education and training more purposefully and effectively in order to provide the skills needed by the Welsh economy, and to achieve more efficient provision of education and training, avoiding the competition and duplication of effort within the current system. Following consultation, the Group's report, *An Education and Training Action Plan for Wales,* was published in March 1999. This proposed that a new National Council for Education and Training for Wales (CETW) should be set up to become responsible for securing all education and training opportunities for people over 16, other than higher education. Amongst other things, the Group also recommended the establishment of an all-Wales service to provide independent and impartial information, advice and guidance to young people and adults about learning and careers opportunities.

National Council for Education and Training

13.252 The National Assembly for Wales has accepted the recommendation that CETW should be established, but in the first instance it should only assume responsibility for further education and training. The new Council will be established from 1st April 2001 in place of the Further Education Funding Council for Wales and the four Training and Enterprise Councils.

LIFELONG LEARNING

Proposals for lifelong learning

13.253 The Government in Wales is committed to policies which provide for learning as a normal part of every day life to be enjoyed by all sections of society and as a key to personal fulfilment. In April 1998, the Government set out its proposals for lifelong learning in a Green Paper, *Learning Is For Everyone.* The proposals include:

- expanding further and higher education, with raised standards;
- introducing a single, flexible, credit related qualifications framework spanning all learning for post-16 year olds;
- measures to improve literacy and numeracy skills amongst adults;
- securing a stronger Youth Service and strengthening community based learning;
- funding partnerships between schools and colleges, and between the further and higher education sectors; and
- enhanced support for information technology training and childcare.

University for Industry

13.254 The University for Industry will operate in Wales. Four core units have been established to administer a network of learning centres which are being established to make learning accessible throughout Wales. The University for Industry will work with the Wales Digital College, which will provide complementary interactive services through digital television.

HIGHER EDUCATION

Higher education institutions

13.255 The higher education sector in Wales comprises the University of Wales and its eight constituent institutions and colleges, the University of Glamorgan, and four independent higher education institutions which currently do not have degree awarding powers. All are funded through HEFCW, and all are linked to the SuperJANET broad band network. Some higher education courses, particularly sub-degree diploma courses, can be taken at further education institutions - all of which are linked to the SuperJANET network.

Students

13.256 Growth in student numbers has been similar to that in England. In 1998/99 there were 85,942 students enrolled on higher education courses in Wales, a 1.5 per cent increase on 1997/98. The Government has announced that it will fund an additional 8,000 places by 2001/02 compared with 1997/98. Approximately 33 per cent of student places in Wales are filled by students from England, while 37 per cent of students from Wales study at higher education institutions in England. 40 per cent of students are over 25 years of age. Women comprise the majority of undergraduate students, both full-time and part-time.

TABLE
of
Higher Education students at Higher Education Institutions in Wales
1997/98

	Men	Women	Total
Undergraduates			
Full-time	27 097	31 184	58 281
Part-time	8 197	9 582	17 779
Total	35 294	40 766	76 060
Postgraduates			
Full-time	3 857	3 294	7 151
Part-time	5 060	4 668	9 728
Total	8 917	7 962	16 879

Qualifications: higher education

13.257 The qualifications obtained in higher education institutions in Wales in the years 1994/95 to 1997/98 are set out in the Table below. The only major academic discipline which is not offered in Wales is Veterinary Science.

TABLE
of
Qualifications Obtained in Welsh Higher Education Institutions by level, subject and year awarded

First Degree	1994/95	1995/96	1996/97	1997/98
Medicine and Dentistry	191	185	227	199
Subjects Allied to Medicine	510	546	832	926
Biological Sciences	782	882	954	1 178
Agriculture and Related Subjects	159	184	222	199
Physical Sciences	653	723	734	766
Mathematical Sciences	160	202	176	190
Computer Science	389	437	419	441
Engineering and Technology	862	848	966	990
Architecture, Building and Planning	217	292	303	410
Social, Economic and Political Studies	1 129	1 056	1 052	992
Law	563	568	583	662
Business and Administrative Studies	1 640	1 482	1 866	1 610
Librarianship and Information Science	145	105	158	197
Languages	985	1 058	1 069	1 076
Humanities	812	819	862	815
Creative Arts and Design	618	819	899	966
Education	1 035	1 153	933	927
Combined	1 402	1 645	1 576	1 506
TOTAL	12 252	13 004	13 831	14 050
Postgraduates	1994/95	1995/96	1996/97	1997/98
Medicine and Dentistry	125	140	85	143
Subjects Allied to Medicine	112	162	178	188
Biological Sciences	78	183	180	246
Agriculture and Related Subjects	14	106	14	82
Physical Sciences	39	100	146	196
Mathematical Sciences	12	15	12	12
Computer Science	84	66	99	140
Engineering and Technology	195	213	289	256
Architecture, Building and Planning	44	21	59	72
Social, Economic and Political Studies	184	308	393	556
Law	258	230	221	259
Business and Administrative Studies	705	295	782	937
Librarianship and Information Science	134	249	298	272
Languages	51	69	69	139
Humanities	54	67	69	124
Creative Arts and Design	46	69	55	71
Education	1 456	1 782	1 850	1 809
Combined	24	11	41	44
TOTAL	3 615	4 086	4 840	5 546

Loans, grants and fees

13.258 The system of loans and grants is common to both Wales and England, and tuition fees are the same in both countries. Likewise, the same legislation regarding quality and access to higher education applies in Wales and England. The new funding arrangements mean that an additional £17 million was made available for higher education in Wales during 1999/2000, and a further £77 million will be made available over the next two years. This includes £22 million capital for improving the research infrastructure, and £19 million capital for the teaching infrastructure and information technology equipment.

TEACHERS

Initial Teacher Training

13.259 In Wales funding for initial teacher training institutions is provided through the HEFCW. Standards in the initial teacher training institutions are inspected by ESTYN. Welsh Office Circular 13/98, issued in April 1998, sets the standard for the award of Qualified Teacher Status (QTS) and prescribes the requirements for courses of initial teacher training. The Green Paper, *The BEST for Teaching and Learning*, published in January 1999, sets out proposals that focus on strengthening initial teacher training. The standards and proposals are very similar to those adopted by DfEE for England.

Initial Teacher Training and Welsh

13.260 Welsh Office Circular 13/98 makes particular provision for Welsh language issues. Candidates for the QTS must demonstrate, amongst other things, that they understand that in Wales pupils should be given opportunities, where appropriate, to develop and apply their knowledge and understanding of the cultural, economic, environmental, historical and linguistic characteristics of Wales (the *Curriculum Cymreig*). Providers of initial teacher training are required to prepare trainees to teach the National Curriculum for pupils in Wales, including the *Curriculum Cymreig*.

Recruitment

13.261 The Government in Wales supports a number of schemes to attract recruits into initial teacher training in subjects where there have been recruitment difficulties, and these include support for the Welsh language:

- the Priority Subject Recruitment Initiative: operates under the auspices of the HEFCW and provides funding with the aim of promoting recruitment to secondary courses of initial teacher training, including Welsh;

- training and teaching bursaries: provide funding from September 2000 for students to train in subjects to be taught in secondary schools, with extra money for subjects where there is a shortage of teachers, including Welsh;

- the Welsh Medium Incentive Supplement: provides funding for students who undertake secondary initial teacher training through the medium of Welsh.

General Teaching Council for Wales

13.262 There is a General Teaching Council for Wales (GTCW). The GTCW initially will have the same powers and functions as the English Council, but its functions may be extended in due course to promotion of recruitment to the teaching profession and promotion of continuing professional development.

ARTICLE 14: COMPULSORY PRIMARY EDUCATION

14.01 The principle of compulsory primary education, free of charge, has been adhered to since 1944.

ARTICLE 15: CULTURE AND SCIENCE

CULTURE

United Kingdom

England

Department for Culture, Media and Sport

15.01 The former Department of National Heritage[34] is now entitled the Department for Culture, Media and Sport (DCMS). It is responsible for government policy and administration of expenditure on national museums and art galleries in England, the historic environment, the Arts Council of England, the British Library, the Government Art Collection and other national cultural bodies. It also has responsibilities in respect of public libraries, the media, tourism and the creative industries. The latter include the arts, film, the music industry, television and radio broadcasting, and such diverse areas as architecture, antiques, craft, design, designer fashion, interactive leisure software, systems software and advertising. The Department's United Kingdom-wide responsibilities include broadcasting, the National Lottery and the Government's interests in Millennium activities.

New institutional arrangements

15.02 Recently new institutional arrangements have been introduced in a number of areas of the Department's responsibility. English Heritage has become the lead body for the historic environment following its merger with the Royal Commission on the Historical Monuments of England. New arrangements mean that the Arts Council for England is now the principal funder of the crafts, with the Crafts Council as a client body. There is now a single Film Council. The Council for Museums, Libraries and Archives has replaced the Museum and Galleries Commission and the Library and Information Commission.

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[34] See paragraph 384 of the Third Report.

15.03 Eight Regional Cultural Consortia have been set up in England outside London. The Consortia bring together representatives of a wide range of regional cultural organizations and creative industries. They provide leadership and a single voice for cultural interests in each of the regions. They are required to draw up regional cultural strategies which bring together the various cultural and creative strands and identify priorities for the region. In London, a Cultural Strategy Group will advise the Mayor of London.

The Arts Council

15.04 The Arts Council of England is an independent body with responsibilities for distributing government grants and funding from the National Lottery to the visual, performing and community arts and literature. The Arts Council is currently delegating many funding decisions to Regional Arts Boards, though the Council itself retains responsibilities for funding a small number of national arts organizations. The Government's funding policy for the arts is based on an "arm's length" principle, and the Arts Council and the Regional Arts Boards operate at arm's length from the Government in deciding on funding for individual art forms and arts organizations. This ensures that decisions of support for a particular artist or organization are taken by experts and not by Ministers in order to prevent the decisions being swayed by political considerations.

Funding

15.05 Funding for culture comes from various sources:

- The DCMS's budget for all its responsibilities in 2001/02 is to be raised to £1,038 million from the current £912 million, with an extra £290 million for the arts, media and sport. In England central government funding for 1999/00 includes £219.7 million for museums and galleries, £228 million for visual and performing arts, £174 million for the historic environment, £103.7 million for broadcasting, the media and film, and £89.7 million for libraries.

- The National Lottery has provided grants worth over £1.4 billion through the Heritage Lottery Fund to preserve the heritage of buildings, objects and the environment, whether natural or man made. Encouragement of greater appreciation of, and access to, the heritage by the public is a central consideration in allocating funds. As well as nationally important sites and objects, the Fund seeks to preserve and protect sites and objects of local significance and to seek ways of using the heritage to reduce deprivation and improve the quality of life for all. The Lottery also supports the arts through the four Arts Councils, the Film Council and Scottish Screen (approximately £260 million per annum) and through its New Opportunities Fund assists community centres in providing access to information. The National Endowment for Science, Technology and the Arts has been given National Lottery funding of £200 million for fostering individual or group talent.

- The Millennium Commission has distributed £1,8 billion of Lottery money to projects throughout the United Kingdom. Over £1.25 billion has been awarded so far to more than 180 capital projects at around 3,000 locations throughout the

United Kingdom (£842 million within England), each of which is required to raise matching funding from other sources. £200 million is provided for Millennium Award Schemes. The Commission is working with ten other Lottery distributors, the New Millennium Experience Company and the Northern Ireland Millennium company to support a £100 million Millennium Festival Fund. This has awarded over £53 million to large-scale festivals and events throughout the United Kingdom and applications are still being considered for smaller community based grants of up to £5,000. The Millennium Experience (the Dome at Greenwich and its associated programme of events and activities across the United Kingdom) is being partly funded by a Lottery grant from the Commission.

- The Pool Betting Duty concession has financed the Foundation for Sport and the Arts which has contributed more than £111 million towards arts projects as well as contributions to sport.

- Local authorities also provide funding, about £1,704 million in 1998/99. They maintain approximately 6,300 libraries, leisure facilities, galleries and museums and provide grant aid for orchestras, theatres and dance. The City of London provided £46 million in sponsorship of the arts in 1998/99.

- Business and charitable trusts also invest in the arts through corporate sponsorship or the exchange of skills and experience which can improve the efficient management of arts organizations. Business sponsorship of the arts in the United Kingdom totalled £141 million in 1998/99. The organization *Arts and Business* (which has 350 business members) receives £5 million per annum from the Arts Council to develop the relationship between the arts and business. This funding generates substantial additional resources for the arts as each pound of public money spent on the arts is matched by over two pounds of private sector investment.

Television

15.06 The widest and most extensive sources of information, cultural provision and entertainment are television and radio. There is extensive coverage within the United Kingdom by both public service and commercial television and radio. There are two analogue national terrestrial television services financed almost wholly by licence fees and three funded by sponsorship and advertising. These provide a wide variety of artistic, cultural, educational, literary and documentary programmes (including children's programmes) as well as frequent and extensive dramatic and musical programmes. These services are also broadcast nationally on digital television, together with two additional services financed by licence fees, one additional service funded by sponsorship and advertising, and some 33 channels funded by subscription. There are also a number of analogue and digital satellite and cable television services funded by subscription which cater for a variety of audiences (including those which concentrate on music and the performing arts, history and current affairs). Some 26 channels broadcast principally in non-European languages such as Chinese, Hindi, Farsi, Urdu and Japanese for the benefit of those communities both in the United Kingdom and elsewhere in Europe. In March 2000, there were 22,625,000 receiving television licences in issue in the United Kingdom. Over a quarter of households in Great Britain owned a satellite dish, with 13 per cent subscribing to satellite television and 9 per cent to cable television. Ninety-nine per cent of men and women watch television.

Radio

15.07 There are five national (BBC) radio networks together transmitting all types of music, drama, education and feature programmes and a further 39 BBC local radio programmes. There are three national commercial radio stations and about 250 independent local radio services which provide information, music and other entertainment and education. There are also two national digital multiplexes, one providing the BBC radio networks and one commercially operated which will broadcast up to ten programme services. It is estimated that 90 per cent of men and 87 per cent of women listen to radio.

The Internet

15.08 Nineteen per cent of all households in the United Kingdom are connected to the Internet, ranging from 25 per cent of households in London to 11 per cent in Northern Ireland. Across the income groups, connections in the lowest four decile groups ranged from 3 per cent to 6 per cent and in the highest two 48 per cent and 38 per cent respectively.

The press, including periodicals

15.09 The press is also a wide and extensive source of information, including access to the various aspects of cultural life. There are 15 daily and some 17 Sunday national newspapers and about 1,350 regional and local newspapers published in the United Kingdom. Most towns and cities have their own regional or local paper. It is estimated that in 1999 some 51.1 per cent of people aged 15 and over read a daily national newspaper regularly and over 83 per cent a regional or local newspaper. Some 8,000 periodicals circulate in the United Kingdom which include "consumer" titles aimed at groups with particular interests, such as the arts, music, books, dance and film, and many academic and professional journals.

Libraries and books

15.10 The Public Library system provides a comprehensive network of libraries, including mobile libraries, throughout the United Kingdom. Both the Public Library System and the national library (the British Library) and its services are described in the Third Report.[35] Libraries provide audio/visual items as well as books. There are almost 5,000 public libraries. Over 60 per cent of adults in Great Britain are members of the local library; and there are over 400,000 reader visits to the British Library each year. In 1999, over 110,000 separate titles were issued by British publishers.

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[35] See paragraphs 295 to 302 of the Third Report.

Performing arts

15.11 There are some 300 professional theatres in the United Kingdom. In 1998, there were some 207 productions in the 100 London theatres with an attendance of 11.9 million. A survey in 1997/98 showed that 24 per cent of the population said they attended the theatre, 7 per cent the ballet, 7 per cent opera and 4 per cent contemporary dance.

Film

15.12 There are over 700 cinemas with some 2,500 screens in the United Kingdom programming a wide range of films. Annual cinema admissions total over 130 million. The United Kingdom Box Office in 1999 was at least £500 million.

15.13 A new body, called the Film Council, has been created which will provide for the first time a coherent strategy for the development of the film industry within the United Kingdom. Government funding for the industry will be provided through the Council to ensure that support is more co-ordinated and effective. The Film Council funds the British Film Institute which promotes the development of film as an art form and its cultural and educational application. It will also distribute Lottery funds and take responsibility for the work of the British Film Commission (the inward investment service of the film industry) and British Screen Finance (a private sector film investment company).

Museums and galleries

15.14 There are some 2500 museums and galleries open to the public in the United Kingdom. This figure includes 17, mostly national, museums funded directly by DCMS, 800 which receive support from local authorities, and about 1,000 independent museums. In addition to the display of their permanent collections, many museums and galleries mount temporary exhibitions. During 1998/99, 23 million visits to the national museums and galleries in England were recorded, and over 80 million visits were made to the museums in the United Kingdom as a whole.

Historic environment

15.15 In February 2000, there were more than 500,000 buildings in England defined as being of architectural or historic merit and more than 17,500 scheduled ancient monuments. At least 1,989 historic buildings are advertised as being regularly open to the public and at least 782 of these have gardens or parks which are also open. There are nearly 1,000 town trails in over 600 towns with either an architectural or historical theme. It is estimated that there are about 70 million visits per annum to historic properties in England, consisting of 19.5 million to cathedrals, 15 million to privately owned properties, 12 million to parish churches, 10 million to central government owned properties, 7.5 million to National Trust properties and 6 million to local government owned properties. Around 400,000 archaeological objects are found by chance each year in England and Wales and 20,000 are recorded as "finds" under the *Portable Antiquities* scheme.

Music

15.16 There are ten major symphony orchestras, including five outside London and over 2,000 other professional or amateur orchestras and instrumental groups in England. In addition to the choral societies of the major orchestras, there are many amateur choirs. One particular tradition is ecclesiastical choral singing. The 1996/97 survey showed that 12 per cent of the population said they attended performances of classical music. Pop, rock and jazz music produce many groups and singers and there are a number of pop, rock and jazz festivals (the Brecon, Cheltenham and London Oris jazz festivals and the Edinburgh International Jazz and Blues Festival). A 1999 report suggests that consumers spent £303 million on live pop and rock performances (£604 million on live performances in total) during that year and that the United Kingdom earned £108 million from overseas tours by British pop and rock artists. It contains estimated employment figures for music of 130,000.

15.17 It is estimated that United Kingdom consumers spend about £3.2 billion per annum on activities relating to music of which £1.9 billion are in retail sales. The United Kingdom is the third largest market for recorded music in the world, accounting for 7.4 per cent of world sales; (it is estimated that British performers are involved in 20 per cent of world record sales). Around 210 million albums are sold in the United Kingdom each year, 175 million of which are compact discs.

Festivals

15.18 In addition to permanent libraries, concert halls, museums, art galleries, theatres and cinemas, there are over 500 professional arts festivals in the United Kingdom each year. In England, they include music (ranging from the Glastonbury festival (rock and pop) to the Promenade Concerts and Handel Festival in London), literature and book fairs, Shakespeare (at Stratford and London) and other theatre and drama festivals and various other art forms. The annual "European Heritage Days" weekend provides access to parts of the historic environment that are not normally open to the public (approximately one million visitors per annum).

Millennium celebrations

15.19 The Millennium Commission was established in 1993 to help communities mark the year 2000 and the start of the third millennium through a variety of projects across the United Kingdom. Many of these projects are aimed at strengthening the cultural life of the community. The Dome at Greenwich, the home of a special exhibition and its associated national programme, represent the centrepiece of these celebrations. Linked to it is a series of educational programmes which involve children throughout the country in projects celebrating local culture and identity.

15.20 Much of the population will have enjoyed the festivals and events associated with the Millennium, while the capital projects will provide a more lasting legacy. These range from large scale projects of international significance, such as the new Tate Gallery of Modern Art in London, the National Science Centre in Glasgow, the new National Botanic Garden of Wales and "Odyssey" - comprising arts, science, sports and entertainment facilities - in Belfast, to hundreds of smaller community schemes for village halls and community centres, church bells and village greens. All of these projects will provide a focus for cultural and community life accessible for everybody. The Millennium Commission has not just concentrated on buildings. Individuals of all ages have an opportunity to take part in *Millennium Awards Schemes* which will enable them to achieve a personal goal while putting something back into the community. Nearly 11,000 individuals are currently taking part, and 40,000 are expected to have benefited from the schemes by the end of 2004.

Access

15.21 It is a government objective to increase the appreciation of, and participation in, the arts in the United Kingdom from one half to two-thirds of the population over the next 10 years. As part of this policy, government funds have been allocated to enable national museums and art galleries which charge for admission to offer free admission for children from April 1999 and to pensioners from April 2000. DCMS will be examining ways to increase access in 2001.

Young People

15.22 It is the aim of the Government to provide access to arts education for all, from pre-school to lifelong learning, both formally and informally. It works with the Arts Council of England to provide young people with sufficient opportunities to experience the arts and to ensure that arts education is of sufficient quality. In 1999, an initiative was launched to allow schools to link up with arts organizations for work on the national curriculum. Groups of children may benefit from free tickets to events and performances and individuals develop their IT skills through use of the Internet. English Heritage provides free access to its government owned properties for educational visits (approximately 500,000 per annum) and has published more than 180 education books, videos and teaching aids.

15.23 The Government aims to increase opportunities for young people to play music, both in formal education and outside school. In June 1999, a National Foundation for Youth Music was established. This is an independent charity which attracts and distributes additional funding for musical education, provides strategic advice and guidance, and acts as a national advocate to raise the profile of public debate on music education. It is funded initially by £30 million of National Lottery money over three years and it is hoped that it will attract additional money.

Cultural minorities

15.24 Cultural diversity is recognized as a significant factor in the cultural life of the United Kingdom and it is intended to ensure that subsidized artistic activity reflects the full range of that diversity. Community and commercial activity includes:

- Broadcasting: In addition to the 26 or so non-European language services referred to in paragraph 15.06 above, there are about 16 cable and local/community services catering for minority groups including London Turkish, London Greek, Caribbean One TV, Africa Independent Television, Asian Sound and Asset Television;

- Press and periodicals: Dailies include: Sing Tao, Daily Jang, el-Arab, Al Majalla, Muslim News, India Times, Sikh Courier and Sikh Messenger, Gleaner, and Caribbean Times;

- Arts: Numerous arts groups contribute to the well-being of local communities, e.g. *Sampad* and *Akademi* which use South Asian dance to achieve wider aims;

- Millennium: The *Shared Faith Communities Event*, which the Government hosted as part of the Millennium celebrations, saw members of the country's nine main faiths coming together with members of the Royal Family and senior Government Ministers to celebrate the values which they share. The event symbolized the Government's commitment to inclusivity and its recognition of the contribution that members of communities of all the faiths make to the cultural life of the country.

Disabled persons

15.25 The Arts Councils have worked closely with their client bodies to ensure physical access to cultural activities for people with disabilities; such access is a criterion for all grants made by the National Lottery. The Arts Council of England has an Arts and Disability Advisory and Monitoring Committee and many of its advisory panels include disabled people. English Heritage also aims to ensure that its properties are as widely accessible as possible. A guidance note, *Easy Access to Historic Properties*, is available to help owners provide the widest possible access to historic properties while protecting their character and interest for all.

15.26 The Arts Councils support work to ensure that people with disabilities are able to take part - as amateurs or professionals - in cultural activities. The Arts Council of England funds the National Disability Arts Forum which promotes awareness of disability issues. It also funds organizations such as *Heart and Soul*, *Candoco* and *Graeae*, which enable people with physical disabilities or learning difficulties to participate in the arts. There is also an apprenticeship scheme for disabled people in major arts organizations.

Social exclusion

15.27 The arts and culture can contribute to neighbourhood renewal in deprived communities, helping to build bridges within and between communities. DCMS, together with its sponsored bodies in culture and the arts, is exploring the impact which participation in such activities has on educational achievement, suitability for employment, mental and physical health and community well being. There are many examples in the United Kingdom of artistic or cultural activities, from small local projects to major ones, making an impact on the communities around them. These include two projects under the Single Regeneration Budget. A £94 million scheme in the North West targets 23,000 people in an area with a high ethnic minority population and provides a Digital Design and Imaging Centre which should be a real asset both to the sub-region and to the North West. In the South West, a £5 million scheme is designed to improve the cultural environment of a particular area; it will have an *Arts and Health Officer* to co-ordinate current initiatives and promote "quality of life" issues through the visual arts. English Heritage's *Heritage Economic Regeneration Scheme* also plays a significant role in the social and economic resurgence of cities and towns and in the creation of safe and sustainable communities. It will provide grants totalling £9 million over three years for conservation led regeneration in England's most deprived urban and rural communities. A report to the Social Exclusion Unit by a *Policy Action Team* on maximising the impact on poor neighbourhoods of Arts and Sport is appended at Appendix LL.

International cooperation

15.28 The Government makes an annual contribution to the UNESCO World Heritage Fund which helps to protect World Heritage Sites in danger, often in war affected countries. Since rejoining UNESCO in 1997, the United Kingdom has contributed to the World Heritage Convention and has, over the years, provided formal and informal training placements for large numbers of conservation professionals from overseas.

Northern Ireland

Responsibilities

15.29 The Department of Culture, Arts and Leisure (DCAL) of Northern Ireland is responsible for the central administration of arts and culture, museums, libraries and leisure. Government funds are mainly distributed through the independent Arts Council of Northern Ireland, the National Museums and Galleries of Northern Ireland, other Lottery distributors, including the Heritage Lottery Fund and the Millennium Commission, and the five Education and Library Boards. The 26 District Councils also contribute to these sectors. The Arts Council is the distributor for Lottery funds for community, visual and performing arts and film.

Funding

15.30 The estimated expenditure on the arts sector by DCAL is £7.5 million with £6.9 million of this distributed through the Arts Council of Northern Ireland. In addition, about £5 million is spent on the arts by the District Councils. The organization *Arts and Business (Northern Ireland)* raises about £300,000 in sponsorship. It is estimated that the expenditure on the museums sector by DCAL will amount to approximately £10.4 million for 1999/00. This includes funding made available to, amongst others, the Northern Ireland Museums (£9.1 million for the National Museums and Galleries) and the Armagh Observatory and Planetarium.

Irish and Ulster-Scots

15.31 The Government is committed to a policy of promoting greater respect for, and understanding of, the diversity of cultural traditions across the whole community in Northern Ireland. The Good Friday Agreement states that all participants recognize the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland the Irish language, Ulster-Scots and the languages of the ethnic communities.

15.32 The 1991 census indicated that 142,000 people in Northern Ireland had some ability in Irish. The United Kingdom Government signed the Council of Europe Charter for Regional or Minority Languages on 2 March 2000 and it was laid before Parliament on 14 June. The

Government has stated that in Northern Ireland Irish would be specified for the purposes of Part III of the Charter and that Ulster-Scots met the Charter's definition of a regional or minority language.

Television

15.33 BBC television currently broadcasts a weekly 25 minute children's cartoon programme in Irish; it is also broadcasting a six part series which is a mixture of English, Irish and Scots Gaelic. BBC TV broadcast an Ulster-Scots night on 29 January 2000 with programmes lasting over two hours.

Radio

15.34 BBC Radio Ulster broadcasts a total of five hours programmes each week in Irish. BBC Radio Ulster has no specific Ulster-Scots language programmes but broadcasts Ulster-Scots cultural programmes on a regular basis.

Press

15.35 There is one Irish language newspaper named *La* which is published weekly in Belfast. It includes a weekly article in Ulster-Scots. The English language Belfast Telegraph is published in Northern Ireland and mainland newspapers are available.

Libraries and books

15.36 The Public Library Service in Northern Ireland is administered by the five Education and Library Boards. There are 127 public library service points with, between them, a total lending stock of 2.2 million books and over one million reference books. About 40 per cent of the population are members of a library. The five boards are co-operating in an *Electronic Libraries for Northern Ireland Project* and are currently negotiating with the private sector for the provision of this service. Once in place, this will connect all public libraries electronically and will give the public access to the catalogues of each library in Northern Ireland and access to the National Grid for Learning and to the world wide web of information. It will also facilitate distance learning using learning materials produced by further and higher education institutions. The Linenhall Library in Belfast holds an extensive collection of Northern Ireland political material.

Visual and performing arts

15.37 The Arts Council assists the Grand Opera House and other large arts institutions which provide arts programmes all year round; they include the Riverside and Ardowen Theatres in Coleraine and Enniskillen respectively, the Lyric Players Theatre, and Arts Centres such as Flowerfield in Portstewart and Clotworthy in Antrim. The Council funds independent theatre companies such as *Tinderbox*, *Prime Cut*, Shankill Theatre Company and Big Telly Theatre Company based in Portrush. There are also arts sites which serve particular interests such as Ti Chulainn in south Armagh, which is an Irish language cultural centre, the Playhouse in Derry City, which is a flagship community arts facility, and the Beat Initiative in East Belfast.

which organizes the annual Belfast Street Carnival. The Arts Council also funds the Prison Arts Foundation and the Arts and Disability Forum. The Belfast City Council supports the Waterfront Hall which hosts a wide variety of events accessible to all the community.

Museums and galleries

15.38 The National Museums and Galleries of Northern Ireland (NMGNI) is a split-site museum which was created in 1998 through the merger of the Ulster Museum and the Ulster Folk and Transport Museum; a third institution - the Ulster American Folk Park - joined the merger in October 1998. NMGNI is also responsible for Armagh County Museum. In 1998/99 these three sites attracted in excess of half a million visitors. The Arts Council also supports the public Arts Galleries at Ormeau Baths in Belfast and Orchard Gallery in Londonderry.

Music

15.39 The Ulster Orchestra has been at the centre of classical music performances in Northern Ireland for over thirty years. In addition to extensive concert work, there is an increasingly busy programme of activities designed to bring the experience of live music to people of all ages and walks of life. During the year the orchestra gives around 150 performances, with an overall attendance figure of 85,000. *Moving on Music* is an organization which provides jazz and classical music right across Northern Ireland.

Festivals

15.40 The Arts Council supports festivals throughout Northern Ireland - examples are Omagh, Ballymena, Downpatrick, the Dungannon Disability Arts Studio, the Belfast Community Circus, the Nerve Centre in Londonderry, Feile an Phobail, and the West Belfast Festival. The annual Belfast Festival at Queens University is a major cultural event attracting international artists in a variety of events.

Millennium celebrations

15.41 The Millennium Commission has spent over £85 million on capital projects within Northern Ireland, including the Odyssey Project in Belfast and the Derry Millennium Complex, as well as a series of community centres in isolated rural or deprived urban areas.

Young people

15.42 The Ulster Youth Orchestra was created to provide a regional youth orchestra for Northern Ireland; the project has been hailed as one of the most important developments to take place in music education in Northern Ireland for many years. The orchestra is funded by the Arts Council with additional financial support from business sponsors and the five Education and Library Boards.

Cultural management

15.43 The *Cultural Management Training Programme* of the Arts Council has produced a Cultural Directory for Northern Ireland to enable organizations to identify relevant local and regional information. The Directory includes for each District Council information on key staff, performance and exhibition venues, visitor attractions, historic monuments and sites of natural importance.

Disabled people

15.44 DCAL funds *Access for Disabled People to Arts Premises Today* (ADAPT) the aim of which is to ensure improved access for disabled people to venues such as art centres, theatres, concert halls, libraries, museums and galleries by providing grants for essential and permanent adaptations. The Arts Council also funds various arts and disability projects including the Drake Music Project, the Dungannon Disability Arts Studio and the Arts and Disability Forum. The Arts and Disability Forum exists to empower people through the development of disability arts and culture and to promote equal access in mainstream arts. The Forum is an umbrella body for a range of organizations committed to the principles of access and participation in the arts for people with disabilities, and seeks to correct the under-representation of disabled people in the arts.

Scotland

Responsibilities

15.45 The Scottish Executive is responsible for arts, culture and heritage in Scotland. The Arts, Culture and Sport Division is responsible for developing and implementing policy in these areas in line with Scottish Ministers' wishes. Scottish Executive agencies, such as Historic Scotland, have remits for particular aspects of cultural provision and access, as do national institutions such as the National Library of Scotland, the National Museums of Scotland and the National Galleries of Scotland. The Scottish Executive also funds the Scottish Arts Council, Scottish Screen and the Royal Fine Arts Commission for Scotland. The Executive sponsors a number of groups to support work in particular sectors and to establish supportive networks amongst the various contributors. These include the Scottish Museums Council and the Scottish Library and Information Council. Most of these bodies work at "arm's length", making day to day operational and strategic decisions independently, but receiving funding from the Executive to carry out an agreed plan for which they are accountable.

Local authorities

15.46 Local authorities also make a significant provision for cultural activities. A number of local authorities have entered into partnerships with one another and others, including the Scottish Arts Council, to support cultural activity.

Planning

15.47 In August 2000 the Scottish Executive published its first national cultural strategy, *Creating our Future: Minding our Past.* This document sets out a clear framework for the development of arts and culture in Scotland for a four year period. It gives examples of good practice and includes a wide range of planned actions to support four key objectives:

- promoting creativity, the arts, and other cultural activity;
- celebrating Scotland's cultural heritage in its full diversity;
- realising culture's potential contribution to education, promoting inclusion and enhancing people's quality of life;
- assuring an effective national support framework for culture.

Funding

15.48 In the financial year 1999/00, the Scottish Executive provided funding of £80 million to the Arts and Cultural Heritage. £39 million was made available to the national institutions, £30.2 million for the Scottish Arts Council, £2.225 million for Scottish Screen and £8.5 for Gaelic broadcasting. Funding is also provided by the Heritage Lottery fund and the Millennium Commission.

Gaelic

15.49 Gaelic is specified for the purposes of the Council of Europe's Charter for Regional or Minority Languages. The 1991 census of population recorded 69,510 people aged three or over as being able to speak, read, or write Gaelic. This is 1.4 per cent of the Scottish population. The largest concentration of Gaelic speakers was found in the Western Isles, the Highlands and Argyll. The remaining speakers were spread across Scotland.

15.50 The Scottish Executive is committed to supporting the Gaelic language and its associated culture. £13 million will be spent on the support of the Gaelic language in 2000/01. £0.6 million a year is provided in grants for Gaelic organizations including na Comunn na Gaidhlig, the Gaelic development body, and An Comunn Gaidhealach, which organizes the National Mod. £8.5 million a year is provided for the Gaelic Broadcasting Committee. Securing the future of the language depends much more on positive action through education, cultural activities and the support of broadcasting than upon imposing statutory duties. Nevertheless, the Executive has recently introduced in the Standards in Scotland's Schools (etc.) Act a statutory provision requiring education authorities to report each year on their plans for Gaelic-medium education.

Gaelic-medium education

15.51 The use of Gaelic as a medium of instruction in schools is described in the chapter on Article 13 above.

Scots

15.52 The Scots language continues to be widely spoken today; it has a long and important history. It is a living language and is the subject of increasing academic study and discussion. The Scottish Executive's guidelines on the curriculum advocate the inclusion of Scottish writing, contemporary as well as Robert Burns, in schools. Pupils are to be encouraged to appreciate language, both in English and in Scots, and to be confident and creative in their use of language. An increasing range of teaching materials in or related to Scots is available.

The creative industries

15.53 The creative industries contribute substantially to the Scottish economy. Scottish Enterprise estimates that they support 100,000 jobs and contribute around £5 billion to the Scottish economy annually. They are set to grow significantly faster than the economy as a whole over the next few years, in line with expanding world-wide demand for film, television, music and computer games.

Scottish Screen

15.54 Scottish Screen, a public body based in Glasgow, promotes and develops films, television and new media in Scotland. It organizes training for the film and television industry, helps attract film producers and investment to Scotland, assists in the development of film scripts, promotes Scottish films, and supports the Edinburgh International Film Festival and Scottish regional film theatres in bringing a wider selection of films to Scotland. Its income, primarily from the Scottish Executive's grant, was £3.2 million in 1999/00.

Libraries and books

15.55 With over 700 public libraries including 100 mobile libraries serving suburban and rural areas, the Public Library system in Scotland provides a comprehensive network. On average, 60 per cent of people in Scotland are library members. Traditional services have been extended to lending of audio visual material, open learning facilities and information technology services and support. The Scottish Executive has set the target of 2002 to establish an information and communications network of all public libraries to support lifelong learning. In 1999, the National Library of Scotland attracted over 57,000 reader visits.

Visual and performing arts

15.56 Traditional arts are integral to Scotland's culture and it is the Scottish Executive's policy to secure and advance their place and bring their meaning and message to new generations and audiences. The Executive intends to promote excellence in the traditional arts and to identify how best to lead the development and understanding of traditional techniques and to bring them to a wider audience, nationally and internationally. Such leadership could be provided by individuals, networks or centres of excellence.

15.57 The Scottish Arts Council supports the four National (Arts) Companies on a continuing basis with a remit to produce and perform work of the highest quality throughout Scotland and, occasionally, abroad. At present the companies are:

- Scottish Ballet
- Scottish Opera
- The Royal Scottish National Orchestra
- The Scottish Chamber Orchestra.

Historic Scotland

15.58 Historic Scotland is the national body charged with safeguarding the nation's built heritage and promoting its understanding and enjoyment. Historic Scotland's principal roles are to:

- give statutory protection to monuments of national importance (by scheduling) and to historic buildings of special architectural or historic interest (by listing) and to protect them through statutory consent systems;

- give financial support and advice to others to repair, manage, protect and conserve important parts of the built heritage;

- protect the 330 monuments in Historic Scotland's care together with the Palace of Holyroodhouse, Edinburgh, and the Royal Parks, and ensure their sound conservation and maintenance;

- ensure that archaeological surveys and excavations are carried out at sites threatened by natural forces or development;

- research and develop issues and develop skills related to the built heritage and to raise the standard of conservation practice among owners, trade and professional groups;

- encourage visitors to properties in Historic Scotland's care and ensure that they enjoy and benefit from their visits;

- encourage knowledge about Scotland's built heritage.

Museums and galleries

15.59 The National Museums and Galleries of Scotland were established by Acts of Parliament in 1985 and 1906 respectively. Mainly situated in Edinburgh, they attracted over 1.6 million visitors and received over £25 million of Scottish Executive funding in 1999. The Scottish Museums Council, an independent company serving mainly local authority museums, is principally funded by the Scottish Executive (£1 million in 1999/00) and is the main channel of government support for Scotland's 400 or more local museums and galleries.

The Scottish Cultural Resources Access Network (SCRAN)

15.60 SCRAN is the result of a partnership between the National Museums of Scotland, the Scottish Museums Council and the Royal Commission on Ancient and Historic Monuments in Scotland. Contracts have now been signed with around 250 contributors. It provides access to Scotland's heritage collections through:

- digitising images and information on items in the collections;
- storing the information in a resource database;
- making them available to schools, museums and libraries and the general public through a range of ICT media, including the Internet;
- giving access to hundreds of thousands of images, sound and movie clips, virtual resource packs etc.

Millennium celebrations

15.61 The Millennium Commission has spent nearly £202 million on capital projects across Scotland, including Dynamic Earth (the world's first geological visitor centre), SCRAN and the Millennium Forest for Scotland.

Wales

Responsibilities

15.62 The functions of the National Assembly for Wales include the arts and culture. The Assembly Secretary for Education and Training has executive responsibility for these functions and, accordingly, is responsible for government policy and administration of expenditure on the National Museums and Galleries of Wales, the National Library of Wales, the Arts Council of Wales, the Welsh Language Board and other national cultural bodies.

Funding

15.63 The total funding on the arts and other cultural expenditure in Wales in 1999/00 was £41.5 million.

Arts Council of Wales	£14.781 million
National Library of Wales	£6.176 million
National Museum	£13.516 million
Welsh Language Board	£6.475 million
Other Arts	£0.571 million

The Arts Council of Wales Lottery expenditure on the arts is approximately £13 million.

Welsh

15.64 Public policy in Wales is firmly in support of maintaining Welsh, a language currently spoken by 20 per cent of the population. The language is studied by all children from 5 to 16, either as a first or a second language. Public bodies in Wales are expected to abide by the principle that the Welsh and English languages should be treated on a basis of equality. Public bodies adopt language schemes in order to give effect to the principle of equality. The Welsh Language Board, which is funded by the National Assembly and furthers its aims in promoting the language, makes grants to Welsh language organizations and others involved in the promotion of the language, and oversees and regulates the adoption and implementation of language schemes by public sector bodies. Welsh is specified for the purposes of the Council of Europe Charter for Regional or Minority Languages.

Broadcasting

15.65 BBC Wales and HTV Wales provide the United Kingdom wide network television services of the BBC and Channel 3 to Wales with degrees of "opt-out" for Welsh produced programming. In addition, the Wales based broadcaster, S4C, provides a Welsh Language television service. There are now 84 hours a week of Welsh Language programming on S4C's Digital Channel. The United Kingdom channels, Channel 4 and Channel 5, will become generally available in Wales with the switch to digital broadcasting. The BBC has an English and Welsh radio service, Radio Wales and Radio Cymru. A number of local independent radio broadcasters operate in Wales, and some provide a Welsh language service, particularly in the North and West of Wales where the proportion of the Welsh speaking population is greater.

Cinema

15.66 *Sgrin,* the Media Agency for Wales, has been established on a non statutory basis to promote the film industry and film culture in Wales. At present, *Sgrin* receives grants from the Arts Council of Wales and the Welsh Development Agency. Its total income from these and other sources, which include broadcasters, amounts to some £0.6 million.

The press

15.67 Two wholly Welsh produced daily newspapers circulate in Wales, the English language *Western Mail* and *Daily Post*. The *Welsh Mirror* is a Welsh sister paper of the London produced *Daily Mirror*. *Y Cymro*, a Welsh language newspaper, appears once a week. A Welsh language magazine, *Golwg*, is published weekly. A number of community Welsh language periodicals are also published on a monthly basis.

Libraries and books

15.68 The National Library of Wales in Aberystwyth receives funding from the National Assembly and plays an important role in the cultural and educational life of Wales. Established by Royal Charter in 1907, it is governed by a Council and a Court of Governors. The Library houses: over four million printed volumes in the form of books, periodicals and newspapers; 40,000 volumes of manuscripts; four million archival documents; 60,000 pictures;

750,000 photographic images; over a million maps; 60,000 hours of sound recordings; 100,000 hours of television broadcasts and videos; and CD-ROMS, on-line electronic databases and datasets. It is a public reference library open six days a week, and available to any adult without charge. Although often seen as a research institution, the Library also serves a large number of learners including university students and people seeking to extend their educational interests.

15.69 The Welsh Books Council receives funding from the National Assembly for Wales and Welsh Local Authorities. Its purpose is to stimulate interest in books in Welsh and books of Welsh interest in English. The Books Council promotes the publishing industry in Wales.

Visual and performing arts

15.70 1999/2000 saw the beginnings of a changing pattern of support to drama in Wales, with core funding being concentrated on fewer organizations. The concept of national "flagships" emerged with *Clwyd Theatr Cymru* becoming recognized as the national English language based theatre company with plans for the development of a national Welsh language based company. Plans to reorganize new writing and theatre in education also emerged. The role of the "flagships" has been extended to encourage an increased level of touring and community based activity across Wales.

15.71 The Centre for Visual Arts opened in Cardiff in September 1999, with a permanent interactive exhibition for children called *Fantasmic* and two floors of dedicated exhibition space. Mainstream theatre, dance and craft continue to flourish.

Museums and galleries

15.72 During 1998/99 there were 208,063 visitors to the National Museums and Galleries of Wales and 363,272 to the St Fagans Museum of Welsh Life.

Music

15.73 There is a very strong tradition in Wales for male voice choirs and bands which were often based in mining communities. The choral tradition was also encouraged by chapels. More recently, rock and pop groups (including some of the most popular) have carried on the traditional Welsh love of song. Cardiff hosts the international *Singer of the World* competition every two years. Wales also has its own opera company - the Welsh National Opera, which has produced a number of renowned singers - and orchestra - the BBC National Orchestra of Wales.

15.74 The National Assembly's support of music is channelled through the Arts Council of Wales. The Assembly has recently announced that it is to make £8 million available over the next three years as a Music Development Fund to maintain and increase music opportunities for young people, including:

- instrumental tuition for pupils;

- the provision of instruments; and
- the promotion of youth orchestras, brass bands and choirs.

Festivals - Eisteddfodau

15.75 A National Eisteddfod (a festival of music and literary works) is held each year in Wales, and alternates between different locations in the North and South. The Eisteddfod receives funding from the Welsh Language Board. *The Urdd* - the Welsh Youth movement - also holds an annual Eisteddfod, with the location alternating between North and South Wales. An International Eisteddfod is held in Llangollen in North Wales annually. The *Urdd* and National Eisteddfod remain an integral part of the cultural and tourism industries in Wales. A wide range of smaller festivals across many art forms continue to provide opportunities to express and promote the arts in Wales.

Millennium celebrations

15.76 The Millennium Commission has spent over £123 million on capital projects in Wales, including a new Botanic Garden and the Welsh Millennium Centre which will provide a focus for fostering Welsh culture, identity and talent and a home for the Welsh National Opera.

Young people

15.77 National Youth Arts Wales was launched in January 2000 as an umbrella body for all the national youth arts bodies in Wales. Its mission being to encourage, support and promote national performing arts opportunities with and by young people through local, regional and national partnerships. The Arts Council of Wales has set up the *Arts and Young People Task Force* to target specific issues relating to the young and to promote action to improve participation, access, and training.

Cultural minorities

15.78 Cardiff and District Multi-Cultural Arts Development (CADMAD) is an arts organization which plays a significant role regionally and nationally in promoting appreciation and practice of the arts of the diverse minority ethnic groups of Wales.

Social exclusion

15.79 The Arts Council of Wales is keen to support access to, and the availability of, the arts to all sections of the community in all parts of Wales. Equality of opportunity is essential in determining strategy and the allocation of financial support. Public libraries and the National Library of Wales promote social inclusion by helping to bridge the gap between those who can afford access to information and those who cannot.

PROTECTION OF INTELLECTUAL PROPERTY

United Kingdom

Treaties and EC Directives

15.80 The United Kingdom provides a variety of rights which protect the interests of the authors of scientific, literary and artistic productions in accordance with the recognized international standards established by the Paris and Berne Conventions, the Agreement on Trade Related Aspects of Intellectual Property Rights, and other major international agreements on intellectual property. The Government also ensures that the protection develops to meet the needs of a changing society. Recent developments are:

- the United Kingdom is a signatory to the WIPO Copyright Treaty 1996 and the WIPO Performances and Phonograms Treaty of 1996, and is awaiting the completion of work on a draft EU Directive on copyright and related rights designed to harmonize EU law before proceeding to prepare legislation which will enable ratification;

- work is proceeding on a draft EU Directive on artists' resale rights (*droit de suite*). This right does not currently exist in the United Kingdom;

- regulations implementing the EU Conditional Access Directive came into force on 28 May 2000 providing legal protection for subscription services such as pay-TV and pay-radio and new "on demand" services;

- an EU Directive harmonising the substantive requirements and scope of protection for registered designs is required to be implemented by 28 October 2001.

Biotechnical inventions

15.81 The United Kingdom has amended its patent legislation to harmonize patent laws throughout Europe on the legal protection of biotechnological inventions. The Patents Regulations 2000 amend the Patents Act 1977 to bring it into line with articles 1 to 11 of EU Directive 98/44/EC on biotechnological inventions. Further amendments are in hand, and will come into force in the near future, in respect of article 12 of the Directive, which deals with compulsory cross-licensing between patent right holders and plant breeders right holders, and articles 13 to 14 of the Directive, which deal with the deposit of biological material.

SCIENTIFIC PROGRESS AND ITS APPLICATION

United Kingdom

Public enjoyment and promoting understanding

15.82 Everyone in the United Kingdom is entitled to enjoy the benefits of scientific progress and its applications. The well developed intellectual property system, by providing protection for a limited time, encourages the publication of new technological developments, promotes understanding and stimulates further research. Otherwise the only restrictions to access to, or use of, scientific progress are those necessary to protect the public from developments which are either unsafe or generally accepted to be unethical.

15.83 The Government's *Public Understanding of Science Programme*[36] seeks to increase public understanding and awareness of scientific facts, scientific and engineering processes and the role played by science, engineering and technology in everyday life. The programme supports a broad range of activities designed to propagate the importance of science, engineering and technology and the attractions of careers in the various scientific disciplines, including:

- administration of a grants scheme;
- provision of publications such as best practice guides and resource directories;
- engaging a wider non-technical audience in major scientific debates, such as consensus conferences and the Public Consultation on the Biosciences;
- financial support for the British Association for the Advancement of Science and the Committee on Public Understanding of Science small grants scheme; and
- National Science Week 2000 which included over 7,000 events all over the United Kingdom and attracted 1.4 million visitors.

15.84 In partnership with the Wellcome Trust, the Government has also undertaken a review of science communication in the United Kingdom. This comprised two projects: the first mapped the provision of facilities for the communication of scientific information and activity; the second was a national survey of public attitudes towards science. The Government expects the results of these projects to encourage cooperation and further co-ordination between those who are engaged in communicating such knowledge and activities and to assist them in finding new ways to reach their target audiences. It is hoped this will lead to knowledge and understanding of scientific facts and processes among a wider proportion of the general public.

Promoting women in science, engineering and technology

15.85 The *Promoting SET for Women Unit* was established in 1994 following recommendations in a report on women in science, engineering and technology (SET). The Unit's main aims are to:

- attract more girls into SET subjects;
- promote SET as a fulfilling career in industry, higher education and the public sector at all levels;

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[36] See paragraph 315 of the Third Report.

- identify ways of improving the progression of women up the career ladder; and

- work with all other organizations active in this area and co-ordinate and focus effort.

The Unit proposes to achieve these aims through a variety of activities, including:

- a new area to its Web site (www.set4women.gov.uk) launched this year, showing United Kingdom statistics on women's scientific related education and employment;

- an imminent study to look at the issues facing women with SET qualifications who have had a career break and want to return to SET related employment;

- a twice yearly careers magazine to be launched in Autumn 2000, targeted at changing the perceptions and attitudes of the public towards women and SET careers;

- developing, with the *WISE Campaign* and women's membership based organizations, a new database of women role models to speak in schools;

- updating the *European Women in SET Experts database* for re-launch at the experts conference scheduled for September 2000.

Science festivals

15.86 In addition to the National Science Week, there are a variety of science festivals throughout the United Kingdom such as the Edinburgh International Science Festival, now in its thirteenth year, and festivals in the Orkneys, at Wrexham and at Cheltenham. The year 2000 will continue to see a number of activities related to science, engineering and technology, including the completion of Millennium Fellowships which are designed to bring scientists and community groups together. South Kensington (Imperial College and the Museums) hosted a three weeks science and arts festival *Creating Sparks* in September 2000.

Science centres

15.87 Millennium Commission funding will lead to a substantial increase in the number and size of science centres in the United Kingdom. The Commission is investing £250 million in the creation of 14 new science and technology centres such as the National Space Science Centre in Leicester and *Our Dynamic Earth* in Edinburgh. The science centres will provide opportunities for adults and children to find out more about science and the contribution it makes to our lives. In Wales, the science discovery centre *Techniquest* attracts over 100,000 visitors each year and has an outreach programme for schools including a travelling planetarium.

Science museums

15.88 Science museums also promote the understanding of science and technology. Important museums or scientific collections in the United Kingdom include the Natural History and Science Museums in London, the Museum of Science and Industry in Manchester, the Museum of the History of Science in Oxford and the Royal Scottish Museum in Edinburgh. The collections of the National Museums and Galleries of Wales show how innovations in science and technology gave rise to the development of the coal, slate and woollen industries in Wales. The museums' style of engaging the public is also evolving. The new Wellcome Wing in the London Science Museum examines contemporary science, with visitors being encouraged to engage in debate on the regulation and application of modern science.

Promotion of scientific research

15.89 Most expenditure on research and development (R&D) in the United Kingdom is undertaken by private industry either within industry itself or through contracts with university or other establishments. Expenditure on research and development in the United Kingdom in 1998/99 was £15,553 million, 1.8 per cent of GDP; of this, £5,707 million or 37 per cent of the total expenditure, was provided by the Government. Government funding for research is provided to develop technology and the economic well being of the country in cooperation with industry and the scientific community, to strengthen the science and engineering base, and to serve particular departmental responsibilities. Funding is channelled through a number of Departments, including the Department of Trade and Industry, the Department of the Environment, Transport and the Regions, the Ministry of Agriculture, Fisheries and Food, the Department of Health, the Ministry of Defence, the Department for International Development and the Scottish Office.

The Foresight Programme

15.90 A central theme of the 1993 White Paper, *Realising our Potential: a Strategy for Science, Engineering and Technology*, was that steps should be taken to harness the United Kingdom's strength in science and engineering to the creation of wealth by providing closer cooperation and partnership between scientists and industrial and commercial users of research. The *Foresight Programme* brings together Government, business, the research base and voluntary and consumer organizations to examine possible future needs and opportunities in markets and technologies and to identify what can be done to meet these challenges. The programme operates through 10 sectoral and 3 thematic panels: Ageing Population; Crime Prevention; Manufacturing 2000; Built Environment and Transport; Chemicals; Defence, Aerospace and Systems; Energy and Natural Environment; Financial Services; Food Chain and Crops for Industry; Healthcare; Information, Communications and Media; Materials; and Retail and Consumer Services. Particular efforts are made to encourage wide participation, including young people through the *Young Foresight* project.

The Scientific Budget and university research funding

15.91 The Office of Science and Technology, an entity within the Department of Trade and Industry, is responsible for a specific Science Budget designed to strengthen the science and engineering base by funding research and postgraduate training in universities and colleges of higher education and in establishments operated by the seven Research Councils,[37] and to provide grants in aid for teaching and research by the Royal Society (for science) and the Royal Academy of Engineering. The Science Budget for the financial year 2000/01 amounts to

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[37] See paragraph 311 of the Third Report.

£1,536 million, an increase of 10 per cent in real terms since 1994/95. In addition to the Science Budget, the Government is providing approximately £1,200 million (1999/00) for teaching and scientific research in universities though the Funding Councils in England, Scotland and Wales and the Department for Education for Northern Ireland.

15.92 Schemes in which the Research Councils are engaged and which are financed from the Science Budget fall into the following broad categories:

- Postgraduate training: *The Cooperative Awards in Science and Engineering (CASE)* and *Industrial CASE* schemes, in which industry plays a role in determining the subject of research and provides assistance during PhD courses. Typically, firms provide opportunities for the student to use their laboratories and may provide relevant material. Included in this scheme are *Post-Graduate Training Partnerships* (1992 to 2003) involving Research and Technology Organizations which are designed to increase the output of high quality professionals with skills, experience and training relevant to the needs of industry.

- Fostering entrepreneurial culture in universities: *Science Enterprise Challenge* is a competition to establish up to eight centres of enterprise in universities. The centres are intended to act as a focus for fostering commercialization of research and new ideas, for scientific entrepreneurship and for incorporating the teaching of enterprise in the science and engineering curricula.

- Encouraging academic researchers to improve their connections with industry: There are two main schemes:

    - *Realising our Potential Awards*: which is intended to reward those academic researchers who have made substantive connections with industry for strategic (not contract) research by giving them funds to enable them to carry out innovative research in an area of their own choosing.

    - *Industry Academia Partnership Prizes*: which is designed to reward those university departments which have made the greatest improvement in their connections with industry at a strategic level during the previous year.

- Encouraging universities to exploit the results of research more vigorously:

    - *University Challenge Fund*: is a competition under which an injection of seed funding is provided to enable higher education institutions to take the first steps towards turning successful research into business propositions by paying for scoping studies, market research, prototypes and the setting up of "spin-out" companies.

In addition, research funded by the Economic and Social Research Council includes the economic and social field and the development of economic and social policy.

Technology transfer

15.93 One of the objectives of the Department of Trade and Industry is to increase interaction between the science, engineering and technology base and business. Arrangements for technology transfer funded by the Department of Trade and Industry with other government departments include:

- *TCS* (previously known as the Teaching Company Scheme) is a government-funded technology and knowledge transfer mechanism that helps companies and the "knowledge base" to work together on projects central to the needs of participating companies. No grants are available to companies through *TCS*, although a grant is paid to the participating "knowledge base" partners (a university or other higher education institute or a public or private research institute or organization), because most of the direct costs of a *TCS* Programme are borne by them. *TCS* involves graduates (TCS Associates) working in companies, normally for two years, on technology transfer projects. They and their projects are supervised jointly by personnel in the "knowledge base" and in business. Each *TCS* Programme may involve one or more Associates and can last for two or three years. Total government expenditure on *TCS* in 1999/00 was £18 million and the overall budget for 2000/01 is over £23 million. Currently (end-July 2000) there are 760 *TCS* Programmes; 90 per cent involve small and medium size enterprises - 55 per cent with companies employing less than 50 people and 35 per cent with companies employing between 50 and 250 people. Almost all higher education institutes are involved and *TCS* is developing to encompass other members of the "knowledge base", for example, research and technology organizations.

- *Faraday Partnerships*. The 1998 White Paper, *Our Competitive Future*, announced the setting up of a national network of *Faraday Partnerships* building on the initial work of the Engineering and Physical Sciences Research Council (EPSRC) in exploiting R&D in particular areas. The aim of *Faraday Partnerships* is to make a more coherent use of existing support mechanisms by establishing "partnerships that are widely recognized for their technological expertise and that industry will turn to, as a first choice source of help, in new product and process development" . It is based on the following principles:

  - a two-way flow of industrial technology and skilled people between the science and engineering base and industry;

  - partnerships between industrially oriented research organizations and the science and engineering base;

  - core research underpinning product and process development; and

  - industrially relevant post-graduate training.

Four new Partnerships were announced in June 2000 to join the existing four that were approved in 1997. As a result of the *Science and Innovation* White Paper, which was published in July 2000, it is planned to double the rate of starting new Partnerships to reach a total of 24 Faraday Partnerships in the year 2002/03.

Monitoring of use of science and technology and protection of the public

15.94 The United Kingdom has a comprehensive regulatory framework for monitoring the use of science and technology. This consists of a network of expert advisory and regulatory bodies which advise the Government on the safety of products and processes, as well as the social and ethical aspects of science. Examples are the Advisory Committee on Novel Foods and Processes and the Committee on the Safety of Medicines.

15.95 Some scientific developments give rise to profound ethical and social issues. For example, modern biotechnology has the potential to change healthcare and agriculture significantly. The Human Genetics Commission and the Agriculture and Environment Biotechnology Commission have been created to consider the wider issues raised by scientific developments in these areas. Both will involve and consult on a regular basis with organizations engaged in such developments and with the public.

15.96 It is important that all these bodies operate in an open way and that the decisions and recommendations they make are well founded. The Government is consulting on a proposed code of practice for scientific advisory committees to promote this approach. It is also important that the Government has the best quality scientific advice available. Guidelines on the use of scientific advice in policy making have recently been revised and re-issued.

Protection of the environment and promotion of sustainable development

15.97 The Government published *A Better Quality of Life. A Strategy for Sustainable Development for the United Kingdom* in May 1999. Effective protection of the environment is one of the four main objectives of sustainable development and to measure progress to that end 15 headline indicators have been developed with a further 132 indicators to set out the baseline assessment for reporting. An annual sustainable report will be published by the Government (the first later this year) on action taken and proposed. A new and independent Sustainable Development Commission which is being established by the British Government, the Scottish Executive and the National Assembly for Wales will also review progress and aim to build consensus on necessary action. The annual report of "green ministers" (due in November) will complement the annual sustainable development report. The Environment Agency, created by the 1995 Environment Act, has a legal obligation to protect and improve the environment in England and Wales.

International collaboration

15.98 The extent of the United Kingdom's scientific collaboration with other countries and international organizations has been described in the Second and Third Reports under the Covenant. Such collaboration is wide ranging and includes both multilateral and bilateral arrangements.

15.99 Significant areas of cooperation are the scientific programmes of the European Union. The Fourth Framework Programme of the EU, in which the United Kingdom participated in more than half of the projects, was completed in 1998. The Fifth Framework Programme, intended to run from 1999 to 2002, will continue with four thematic programmes covering health and life sciences; information communication technology; industrial technology and transport; and energy, environment and sustainable development; and three cross-cutting programmes covering international cooperation; promotion of innovation and the encouragement of small and medium enterprise participation; and promotion of researcher training and mobility of socio-economic research. The budget for this Programme is £9.5 billion. The United Kingdom's contribution to the Fourth Programme was approximately 16 per cent of the budget and its contribution to the Fifth Programme is likely to be similar. The Second Activity of the Fifth Programme, like that of the Fourth, provides for scientific and technological collaboration with the newly independent States of the former Soviet Union and, in addition, countries of the Euro-Mediterranean region and Developing Countries.

15.100 The United Kingdom continues to participate in EUREKA (now comprising 29 member countries extending from the Russian Federation in the east to Iceland in the west). By 1999, over 700 projects with a value of £8.4 billion had been completed and a further 694, with a value exceeding £5.6 billion and involving almost 3,000 organizations, are under way. In the COST programme (European Cooperation in Science and Technical Research), the United Kingdom takes part in almost all of the 180 projects which are currently valued at some 360 million Euro. Other organizations in which the United Kingdom participates include the European Space Agency, the European Organization for Nuclear Research, the European Synchronization Radiation Facility, the European Science Foundation and, outside the European context, the World Climate Research Programme and the International Geosphere-Biosphere Programme.

Bilateral cooperation staff

15.101 Bilateral cooperation with other governments are serviced through staff in British Embassies and High Commissions and the offices of the British Council. There are currently Science Attaches in 10 British Embassies and Diplomatic Missions.

Weapons and toxic substances

15.102 The development of means of causing harm to others by weapons or toxic substances has also resulted in cooperation between States. The United Kingdom is a party to the 1968 Nuclear Non-proliferation Treaty, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention on Landmines. In implementation of the 1993 Convention, the Chemical Weapons Act 1996 prohibits the possession or use of toxic or chemical weapons in the United Kingdom and empowers the Secretary of State to order their destruction. All stocks of landmines covered by the 1997 Convention under the control of the British Government have been destroyed except for those retained for training in mine clearance.

ANNEX 1

REVISED BACKGROUND STATISTICAL INFORMATION

Population (mid-1998)	(thousands)
United Kingdom	59 237
England	49 495
Northern Ireland	1 689
Scotland	5 120
Wales	2 933

Percentage of population under 15 (mid-1998)	(percentages)
United Kingdom	19.2
England	19.2
Northern Ireland	23.0
Scotland	18.6
Wales	19.1

Percentage of population over 65 (mid-1998)	(percentages)
United Kingdom	15.6
England	15.7
Northern Ireland	13.0
Scotland	15.3
Wales	17.3

Percentage of population in rural areas and in urban areas (mid-1998)	Rural	Urban
Great Britain	11.4	88.6

Life expectancy at birth (1997)	Males (in years)
United Kingdom	74.6
England	74.9
Northern Ireland	74.2
Scotland	72.4
Wales	74.4

Life expectancy at birth (1997)	Females (in years)
United Kingdom	79.6
England	79.9
Northern Ireland	79.5
Scotland	77.9
Wales	79.4

Infant mortality rate (1998)	Males (deaths per 1,000 live births)
United Kingdom	6.3
England	6.2
Northern Ireland	6.1
Scotland	6.2
Wales	6.1

	Females (deaths per 1,000 live births)
United Kingdom	5.0
England	4.9
Northern Ireland	5.1
Scotland	4.9
Wales	5.2

Maternal mortality rate (1998)	(Maternal deaths per 1,000 live births: deaths in pregnancy and child birth)
United Kingdom	0.07
England and Wales	0.07
Northern Ireland	0.04
Scotland	0.09

Fertility rate (1998)	Total fertility rate
United Kingdom	1.71
England	1.72
Northern Ireland	1.91
Scotland	1.55
Wales	1.89

Literacy rate aged 16 to 65

Great Britain (1996)	Males	Females
	(percentages)	
Level 1	20	27
Level 2	25	29
Level 3	31	30
Level 4/5	24	15
Total	100	100

(Level 1 is the lowest level and Level 4/5 is the highest)

Household income (£ per head) (1997)	(£ per head)
United Kingdom	13 392
England	13 653
Northern Ireland	11 435
Scotland	12 552
Wales	11 394

Disposable household income (£ per head) (1997)

United Kingdom	9 415
England	9 585
Northern Ireland	8 464
Scotland	8 661
Wales	8 217

Gross domestic product (1998)	(£ million)
United Kingdom	747 544
England	631 746
Northern Ireland	15 966
Scotland	61 052
Wales	29 027

Rate of inflation

United Kingdom RPI, average 1999 January 1987 = 100	166.4
Percentage change on one year earlier, at January 2000	2.0

Rate of unemployment (Spring 2000)	(percentages)
United Kingdom	5.5
England	5.2
Northern Ireland	7.0
Scotland	7.6
Wales	6.1

ANNEX 2

SOCIAL SECURITY BENEFIT RATES: 10th APRIL 2000

(Weekly rates unless otherwise shown)

	RATES £
ATTENDANCE ALLOWANCE	
higher rate	53.55
lower rate	35.80
CHILD BENEFIT	
- only, elder or eldest for whom child benefit is payable (couple)	15.00
- only, elder or eldest for whom child benefit is payable (lone parent)	17.55
- each subsequent child	10.00
CHILD'S SPECIAL ALLOWANCE	11.35
COUNCIL TAX BENEFIT[a]	
Personal allowances	
single:	
18 to 24	41.35
25 or over	52.20
lone parent - 18 or over	52.20
couple - one or both over 18	81.95
Dependent Children:	
from birth to September following 16th birthday	26.60
from September following 16th birthday to day before 19th birthday	31.75
Alternative maximum Council Tax Benefit:	
second adult on Income Support or JSA (income based)	25% of Council Tax
second adult's gross income	
- under £120	15% of Council Tax
- £120 to £156.99	7.5% of Council Tax

DEPENDENCY INCREASES	Varies from £40.40 to £11.35 with nature of dependency
DISABILITY LIVING ALLOWANCE	
Care Component	
Highest	53.55
Middle	35.80
Lowest	14.20
Mobility Component	
Higher	37.40
Lower	14.20
DISABLED PERSON'S TAX CREDIT	
Basic tax credit (single person)	52.80
(couple)	81.05
extra 30-hour tax credit	11.05
for each child	
from birth	19.85
from September following 11th birthday	20.90
from September following 16th birthday to day before 19th birthday	25.95
disabled child	21.91
childcare tax credit for one child (max)	100.00
for two or more children (max)	150.00
GUARDIAN'S ALLOWANCE	11.35

HOUSING BENEFIT[a]

Personal allowances

single 16 to 24	41.35
25 or over	52.20
lone parent	
under 18	41.35
18 or over	52.20
couple	
both under 18	62.35
one or both over 18	81.95
dependent children	
from birth to September following 16th birthday	26.60
from September following 16th birthday to day before 19th birthday	31.75

INCAPACITY BENEFIT

Long-term Incapacity Benefit	67.50

Short-term Incapacity Benefit (under pension age)

lower rate	50.90
higher rate	60.20

Short-term Incapacity Benefit (over pension age)

lower rate	64.75
higher rate	67.50

Increase of Long-term Incapacity Benefit for age

higher rate	14.20
lower rate	7.10

Invalidity Allowance (Transitional)

higher rate	14.20
middle rate	9.00
lower rate	4.50

INCOME SUPPORT[a]

Personal Allowances	
single	
under 18 - usual rate	31.45
under 18 - higher rate payable in specific circumstances	
18 to 24	41.35
25 or over	52.20
lone parent	
under 18 - usual rate	31.45
under 18 - higher rate payable in specific circumstances	41.35
18 or over	52.20
couple	
both under 18	62.35
one or both 18 or over	81.95
dependent children	
birth to September following 16th birthday	26.60
from September following 16th birthday to day before 19th birthday	31.75
Residential Allowance	
except Greater London	61.30
Greater London	68.20

INDUSTRIAL DEATH BENEFIT

Widow's pension	
higher rate	67.50
lower rate	20.25

INDUSTRIAL INJURIES DISABLEMENT PENSION

18 and over, or under 18 with dependants	
100 per cent	109.30
90 per cent	98.37
80 per cent	87.44
70 per cent	76.51
60 per cent	65.58
50 per cent	54.65
40 per cent	43.72
30 per cent	32.79
20 per cent	21.86

Under 18	
100 per cent	66.95
90 per cent	60.26
80 per cent	53.56
70 per cent	46.87
60 per cent	40.17
50 per cent	33.48
40 per cent	26.78
30 per cent	20.09
20 per cent	13.39
Maximum life gratuity (lump sum)	7 260.00

Unemployability Supplement	67.50
plus where appropriate an increase for early incapacity	
higher rate	14.20
middle rate	9.00
lower rate	4.50

Maximum reduced earnings allowance	43.72

Maximum retirement allowance	10.93

Constant attendance allowance	
exceptional rate	87.60
intermediate rate	65.70
normal maximum rate	43.80
part-time rate	21.90

Exceptionally severe disablement allowance	43.80

INVALID CARE ALLOWANCE	40.40

JOBSEEKERS ALLOWANCE*

Contribution based JSA - Personal Rates	
under 18	31.45
18 to 24	41.35
25 or over	52.20

Income-based JSA - personal allowances	
under 18	31.45
18 to 24	41.35
25 or over	52.20
lone parent under 18 - usual rate	31.45
under 18 - higher rate payable in specific circumstances	41.35
18 or over	52.20
couple	
both under 18	31.45
both under 18, one disabled	41.35
both under 18, with responsibility for a child	62.35
one under 18, one 18-24	41.35
one under 18, one 25+	52.20
both 18 or over	81.95
dependent children	
from birth to September following 16th birthday	26.60
from September following 16th birthday to day before 19th birthday	31.75
Residential Allowance	
except Greater London	61.30
Greater London	68.20

MATERNITY ALLOWANCE

Lower rate	52.25
Higher rate	60.20
New standard rate	60.20
MA threshold	30.00

PNEUMOCONIOSIS, BYSSINOSIS, AND MISCELLANEOUS DISEASES SCHEME AND THE WORKMEN'S COMPENSATION (SUPPLEMENTATION)

Total disablement allowance and major incapacity allowance (maximum)	109.30
Partial disablement allowance	40.40
Unemployability supplement	67.50
plus where appropriate increases for early incapacity	
higher rate	14.20
middle rate	9.00
lower rate	4.50

Constant attendance allowance exceptional rate	87.60
intermediate rate	65.70
normal maximum rate	43.80
part-time rate	21.90
Exceptionally severe disablement allowance	43.80
Lesser incapacity allowance	
maximum rate of allowance	40.40
based on loss of earnings over	53.55
RETIREMENT PENSION	
Category A or B	67.50
Category B (lower) - husband's insurance	40.40
Category C or D - non-contributory	40.40
Category C (lower) - non-contributory	24.15
Additional pension	Increase by: 1.1%
Increments to:	Increase by:
Basic and additional pensions Contracted out deductions (CODS) (Pre April 1988 earnings)	1.1%
Graduated Retirement Benefit (unit) (pence)	8.77
Graduated Retirement Benefit (inherited)	Increase by: 1. 1%
Addition at age 80	0.25
SEVERE DISABLEMENT ALLOWANCE	
Basic rate	40.80
Age-related addition (from December 90)	
Higher rate	14.20
Middle rate	9.00
Lower rate	4.50

STATUTORY MATERNITY PAY

Earnings threshold	67.00
Lower rate	60.20

STATUTORY SICK PAY

Earnings threshold	67.00
Standard rate	60.20

WAR PENSIONS

Disablement Pension (100% rates)	
officer (£ per annum)	6 053.00
other ranks	116.00
Age allowances	
40%-50%	17.75
over 50% but not over 70%	11.95
over 70% but not over 90%	17.00
over 90%	23.90
Disablement gratuity	
specified minor injury (min.)	738.00
specified minor injury (max.)	5 513.00
unspecified minor injury (min.)	306.00
unspecified minor injury (max.)	7 169.00
Unemployability allowance	
personal	71.65
adult dependency increase	40.40
increase for first child	9.85
increase for subsequent children	11.35
Invalidity allowance	
higher rate	14.20
middle rate	9.00
lower rate	4.50
Constant attendance allowance	
exceptional rate	87.60
intermediate rate	65.70
normal maximum rate	43.80
part-time rate	21.90

Comforts allowance	
higher rate	18.80
lower rat	9.40
Mobility supplement	41.70
Allowance for lowered standard of occupation (maximum)	43.72
Exceptionally severe disablement allowance	43.80
Severe disablement occupational allowance	21.90
Clothing allowance (£ per annum)	149.00
Education allowance (£ per annum) (max)	120.00
War widow's pension	
Widow (private)	87.55
Widow (NCO)	87.85
Widow - Officer (£ p.a. max)	5 415.00
Childless widow under 40 (private)	20.25
(NCO)	20.55
(Officer max £ pa).	5 415.00
Supplementary Pension	57.07
age allowance	
(a) age 65 to 69	10.00
(b) age 70 to 79	19.20
(c) age 80 and over	28.60
children's allowance	
increase for first child	14.35
increase for subsequent children	15.85

See note on Child Dependency Increase

Orphan's pension	
increase for first child	16.20
increase for subsequent children	17.70
Unmarried dependant living as spouse (max)	85.50
Rent allowance (max)	33.10

Adult orphan's pension (max)	67.50
Widower's pension	
private (max)	87.55
officer (£ p.a.) max	5 415.00

WIDOW'S BENEFIT

Widow's payment (lump sum)	1 000.00
Widowed mother's allowance	67.50
Widow's pension	
standard rate	67.50
Age-related	
age 54	62.78
53	58.05
52	53.33
51	48.60
50	43.88
49	39.15
48	34.43
47	29.70
46	24.98
45	20.25

WINTER FUEL PAYMENT

Payable to persons aged 60 or over	£150 per household

WORKING FAMILY TAX CREDIT

Basic tax credit (per family)	52.30
extra 30-hour tax credit	11.05
for each child	
from birth	19.85
from September following 11th birthday	20.90
from September following 16th birthday to day before 19th birthday	25.95
childcare tax credit for one child (max)	100.00
for two or more children (max)	150.00

[a] Additional weekly payments ("premiums") are payable to individuals with special needs e.g. lone parents, pensioners, disabled people or carers.